

**A Decisive Refutation of The Book**  
***“Martyrdom in Jihād versus Suicide***  
***Bombing”***

*By Brother Abū Ahmad Al-Muhājir*

## بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All Praise is due to Allāh. We praise Him, and seek His help and ask for His forgiveness. We seek refuge in Allāh from the evil in our souls and from our sinful deeds. Whomever Allāh guides, none can mislead. And whomever Allāh misguides, none can guide. I bear witness that there is no one worthy of worship except Allāh. He is One, having no partner. And I bear witness that Muhammad is His servant and Messenger.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ حَقَّ تُقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

***O you who believe! Fear Allāh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islām (as Muslims) with complete submission to Allāh.***<sup>1</sup>

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

***O mankind! Be dutiful to your Lord, Who created you from a single person (Ādam), and from him (Ādam) He created his wife [Hawwa (Eve)], and from them both He created many men and women and fear Allāh through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allāh is ever an All-Watcher over you.***<sup>2</sup>

يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا

***O you who believe! Keep your duty to Allāh and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allāh and His Messenger he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and made to enter Paradise).***<sup>3</sup>

To proceed:

Verily, the truest speech is the Book of Allāh. And the best guidance is the guidance of Muhammad (Salla 'Llahu 'alayhi wa sallam). The worst of affairs are the newly invented matters. And every newly invented matter is a Bid'ah and every Bid'ah is a misguidance and every misguidance is in the Hell-Fire.

<sup>1</sup> Sūrah Āl 'Imrān 3:102.

<sup>2</sup> Sūrah An-Nisā' 4:1.

<sup>3</sup> Sūrah Al-Ahzāb 33:70-71.

## TABLE OF CONTENTS

1. TABLE OF CONTENTS.....	3
2. INTRODUCTION.....	3
3. REFUTATION OF THE CHAPTER “SUICIDE VERSUS MARTYRDOM”.....	4
4. REFUTATION OF THE CHAPTER “THE EFFICACY OF SUICIDE BOMBING”.....	14
5. REFUTATION OF THE CHAPTER “THE RULING ON SUICIDE BOMBINGS”.....	24
6. REFUTATION OF THE CHAPTER “THE RULING ON TARGETING NON-COMBATANTS”.....	50
7. REFUTATION OF THE CHAPTER “EVIDENCES ADVANCED IN DEFENCE OF SUICIDE BOMBING”.....	80
8. REFUTATION OF THE CONCLUSION.....	98
9. CONCLUSION.....	101

## INTRODUCTION:

This document has been written in an attempt to correct and advise the brother who authored the book “*Martyrdom in Jihād versus Suicide Bombing*”<sup>4</sup>. Although I have selected this book to start off with, my refutations will **Insha'Allāh** not be limited to this book alone as the site<sup>5</sup> from which it was downloaded has many other books containing errors in ‘Aqīdah (Creed), Manhaj (Methodology) and Fiqh (Understanding).

With regards to the book in question then I first came across it a few months ago. After downloading it and going through it a few times I found it astonishing how the brother who authored it made many statements which were contrary to the truth and were in fact statements of falsehood, not only did he do this, but he also made many slanderous comments about Muslims who in all honesty are far greater than him in their commitment to Allāh and His religion.

It is for this precise reason after going through the book a few times I feel it necessary to write a refutation of it, so that the reader is not mislead by these statements which will inevitably lead them to having many misconceptions about this issue and those related to it. I ask Allāh to accept this refutation of mine and place it amongst my good deeds and for it to benefit the Muslims who read it. And Allāh is the Most Powerful and capable of all things.

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<sup>4</sup> The book can be downloaded from the following link:

[http://www.Salafimanhaj.com/pdf/SalafiManhaj\\_MartrydomvsSuicideBombing.pdf](http://www.Salafimanhaj.com/pdf/SalafiManhaj_MartrydomvsSuicideBombing.pdf)  
It is advised to download it so that one can refer back to it during this refutation.

<sup>5</sup> The site in question is: <http://www.Salafimanhaj.com/>

Which is a “Fake-Salafi/Neo-Murji’āh/Madkhalī” website which in reality promotes the Math’hab and ‘Aqīdah of the Murji’āh and whose misconceptions have been thoroughly refuted at the following website: <http://Salafiyyah-jadeedah.tripod.com/>

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## REFUTATION OF THE CHAPTER “SUICIDE VERSUS MARTYRDOM”

In the first chapter of the book titled “*Suicide versus Martyrdom*”<sup>6</sup> the brother writes the following:

“First, it may be helpful to outline the grievousness of the crime of suicide itself. The Prophet Muhammad (Salla 'Llahu 'alayhi wa sallam), who refused to pray over the one who had committed suicide,<sup>7</sup> warned:

Whoever kills himself will certainly be punished in Hellfire, where he shall dwell forever.<sup>8</sup>

And he (Salla 'Llahu 'alayhi wa sallam) said:

He who kills himself with anything, Allāh will torment him with that in the Hellfire.<sup>9</sup>

And he (Salla 'Llahu 'alayhi wa sallam) also said:

Among those before you, there was<sup>1</sup> a man in anguish from his wound. So he took a knife and cut his hands until he bled to death. Allāh said: “*verily my servant has hastened the ending of his life, so I forbid the Paradise for him.*”<sup>10</sup>

And Allāh said in the Qur’ān:

وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَظُلْمًا فَسَوْفَ نُصْلِيهِ نَارًا وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا

“And do not kill yourselves. (For) surely, Allāh is Most Merciful unto you. And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allāh.”<sup>11</sup>

وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ

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<sup>6</sup> This chapter spans from page 4 to 6 in the book.

<sup>7</sup> Sahīh Muslim.

<sup>8</sup> Sahīh al-Bukhārī and Sahīh Muslim.

<sup>9</sup> Sahīh Muslim.

<sup>10</sup> Sahīh al-Bukhārī and Sahīh Muslim.

<sup>11</sup> Sūrah an-Nisā' 4:29-30.

**“And do not cause your hands to contribute to your own destruction; but do good. Truly, Allāh loves the good-doers.”<sup>12</sup> [End Quote Ben Ādam]**

The brother starts off the chapter by writing about the severity of the sin of suicide, but nowhere in the chapter does he give a precise Sharī’ah definition of what suicide is, nor does he refer to the texts or the statements of the scholars from the Salaf to bring about such a definition. All he does is point out the obvious which is suicide is harām and a major sin which results in the person spending time in the Hellfire. Bearing this in mind it should become obvious that it is vitally important that we first define what suicide is according to the Sharī’ah, so that we don’t become confused and can proceed further with this issue **Insha’Allāh.**

I am now going to present some of the texts that the brother has mentioned (with explanations from the scholars of tafsīr) in order that we can ascertain the correct Sharī’ah definition of suicide **Insha’Allāh.**

For example there is the Hadīth narrated on the authority of Jundub Ibn ‘Abdullāh (**Radiya 'Llahu 'anhu**), the Messenger (**Salla 'Llahu 'alayhi wa sallam**) said "Among those before you, there was a man with a *wound*, and he was in *anguish*, so he took a knife and cut his hands, and the blood did not stop until he died. Allāh said, "*My servant has hastened the ending of his life, so I have prohibited Paradise to him.*"<sup>13</sup>

So this was **due** to *misery*, *anguish*, and *pain* from the wound that led him to kill himself, due to the fact that he could not endure and be patient; So he hastened his own death by suicide, to save himself from the worldly pain.

With regards to the Āyah:

وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَظُلْمًا فَسَوْفَ نُصْلِيهِ نَارًا وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا

**“And do not kill yourselves. (For) surely, Allāh is Most Merciful unto you. And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allāh.”<sup>14</sup>**

Imām al-Qurtubī (**Rahimahu 'Llah**) explained this verse “And the scholars are upon *Ijma*’ (consensus) that what is meant in this verse, is the prohibition of people (Muslims) to kill one another. And its literal wording also implies a prohibition for a person to kill himself **due** to any *worldly desire*, or seeking for *wealth* in such a way which he endangers his life with utter destruction; and the verse also implies the meaning of 'Do not kill yourselves **due** to *misery*

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<sup>12</sup> Sūrah al-Baqarah 2:195.

<sup>13</sup> Refer to Sahīh al-Bukhārī Hadīth # 3463 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*) and Sahīh Muslim Hadīths # 307 & 308 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*). The Wording is from Sahīh al-Bukhārī.

<sup>14</sup> Sūrah an-Nisā' 4:29-30.

or *fury*' - So all of this is implied by this verse."<sup>15</sup> [End Quote Imām al-Qurtubī (**Rahimahu 'Llah**)]

Therefore it is clear from the above mentioned texts and their explanations that suicide is a person killing themselves by any means (even via assistance through another person or people)<sup>16</sup> *due to a misery or harm* which has befallen them, such as *adversities, severe illness*, etc; or it can also be done for no reason at all whatsoever, like a game, without any worldly reasons. Also it should also become clear that none of the above mentioned texts are related to a Muslim/Muslims sacrificing their life/lives in order to benefit Islām and Muslims or repel a harm from Islām and Muslims (This is something we'll discuss in further detail later on **Insha'Allāh**).

Also with regards to the Āyah:

وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ  
“And spend in the cause of Allāh and do not throw yourselves into destruction, and do good. Truly, Allāh loves Al-Muhsinin (those who do good).”<sup>17</sup>

Imām Ibn Kathīr (**Rahimahu 'Llah**) explained this verse under the heading “*The Command to spend in the Cause of Allāh*” and said the following:

Al-Bukhārī recorded that Hudhayfah said:

[وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ]

(And spend in the cause of Allāh and do not throw yourselves into destruction.) "It was revealed about spending." Ibn Abū Hātim reported him saying similarly. He then commented, "Similar is reported from Ibn `Abbās, Mujāhid, `Ikrimah, Sa`id bin Jubayr, `Ata', Ad-Dahhak, Al-Hasan, Qatādah, As-Suddī and Muqātil bin Hayyan."

Aslam Abū `Imrān said, "A man from among the Ansār broke enemy (Byzantine) lines in Constantinople (Istanbul). Abū Ayyūb Al-Ansārī was with us then. So some people said, 'He is throwing himself to destruction.' Abū Ayyūb said, 'We know this Āyah (2:195) better, for it was revealed about us, the Companions of Allāh's Messenger who participated in Jihād with him and aided and supported him. When Islām became strong, we, the Ansār, met and said to each other, 'Allāh has honoured us by being the Companions of His Prophet and in supporting him until Islām became victorious and its following increased. We had before

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<sup>15</sup> Refer to Tafsīr al-Qurtubī (5/156).

<sup>16</sup> An example of this is Dignitas (euthanasia group) which is a Swiss based assisted suicide group that assists its members in committing suicide; this is a practical example of how people commit suicide by getting others to kill them. This is something we'll discuss later on in the document Insha'Allāh. Details of this group can be found at the following link: [http://en.wikipedia.org/wiki/Dignitas\\_%28euthanasia\\_group%29](http://en.wikipedia.org/wiki/Dignitas_%28euthanasia_group%29)

<sup>17</sup> Sūrah al-Baqarah 2:195.

ignored the needs of our families, estates and children. Warfare has ceased, so let us go back to our families and children and attend to them.' So this Āyah was revealed about us:

[وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ]

(And spend in the cause of Allāh and do not throw yourselves into destruction.) the destruction refers to staying with our families and estates and abandoning Jihād'. This was recorded by Abū Dāwūd, At-Tirmithī, An-Nasā'ī, `Abd bin Humayd in his Tafsīr, Ibn Abū Hātim, Ibn Jarīr, Ibn Marduwyah, Al-Hāfith Abū Ya`la in his Musnad, Ibn Hibbān and Al-Hākim. At-Tirmithī said; "Hasan, Sahīh, Gharīb" Al-Hākim said, "It meets the criteria of the Two Shaykhs (Al-Bukhārī and Muslim) but they did not record it."

Abū Dāwūd's version mentions that Aslam Abū `Imrān said, "We were at (the siege of) Constantinople. Then, `Uqbah bin `Amr was leading the Egyptian forces, while the Syrian forces were led by Fadalah bin `Ubayd. Later on, a huge column of Roman (Byzantine) soldiers departed the city, and we stood in lines against them. A Muslim man raided the Roman lines until he broke through them and came back to us. The people shouted, `All praise is due to Allāh! He is sending himself to certain demise.' Abū Ayyūb said, `O people! You explain this Āyah the wrong way. It was revealed about us, the Ansār when Allāh gave victory to His religion and its following increased. We said to each other, `It would be better for us now if we return to our estates and attend to them.' Then Allāh revealed this Āyah (2:195)'."

Abū Bakr bin `Aiyash reported that Abū Ishaq As-Suba'ī related that a man said to Al-Barā' bin `Azib, "If I raided the enemy lines alone and they kill me, would I be throwing myself to certain demise" He said, "No. Allāh said to His Messenger:

[فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسَكَ]

(Then fight (O Muhammad) in the cause of Allāh, you are not tasked (held responsible) except for yourself.) (4:84) That Āyah (2:195) is about (refraining from) spending." Ibn Marduwyah reported this Hadīth, as well as Al-Hākim in his Mustadrak who said; "It meets the criteria of the Two Shaykhs (Al-Bukhārī and Muslim) but they did not record it." Ath-Thawrī and Qays bin Ar-Rabi` related it from Al-Barā'. but added:

[لَا تُكَلَّفُ إِلَّا نَفْسَكَ]

(You are not tasked (held responsible) except for yourself.) (4:84) "Destruction refers to the man who sins and refrains from repenting, thus throwing himself to destruction."

Ibn `Abbās said:

[وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ]

(And spend in the cause of Allāh and do not throw yourselves into destruction) "This is not about fighting. But about refraining from spending for the sake of Allāh, in which case, one will be throwing his self into destruction."

The Āyah (2:195) includes the order to spend in Allāh's cause, in the various areas and ways that involve obedience and drawing closer to Allāh. It especially applies to spending in fighting the enemies and on what strengthens the Muslims against the enemy. Allāh states that those who refrain from spending in this regard will face utter and certain demise and destruction, meaning those who acquire this habit. Allāh commands that one should acquire Ihsan (excellence in the religion), as it is the highest part of the acts of obedience. Allāh said:

[وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ]

(and do good. Truly, Allāh loves Al-Muhsinin (those who do good).)<sup>18</sup> [End Quote Imām Ibn Kathīr (**Rahimahu 'Llah**)]

The first thing that should be apparent to the reader is how the brother in his book has chopped off the starting of the Āyah:

[وَأَنْفَقُوا فِي سَبِيلِ اللَّهِ]

*“And spend in the cause of Allāh”*

He only quotes the rest of the Āyah and thus takes the Āyah out of context and alters the meaning:

[وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ]

*“And do not cause your hands to contribute to your own destruction; but do good. Truly, Allāh loves the good-doers.”*

Also another thing that the reader should realise is how from the tafsīr of this Āyah it is actually a proof against the brother on this issue and not for him!!! For example:

Abū Dāwūd's version mentions that Aslam Abū `Imrān said, "We were at (the siege of) Constantinople. Then, `Uqbah bin `Amr was leading the Egyptian forces, while the Syrian forces were led by Fadalah bin `Ubayd. Later on, a huge column of Roman (Byzantine) soldiers departed the city, and we stood in lines against them. **A Muslim man raided the Roman lines until he broke through them and came back to us. The people shouted, ‘All**

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<sup>18</sup> The Tafsīr of this verse by Imām Ibn Kathīr (Rahimahu 'Llah) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=2&tid=5087>



**praise is due to Allāh! He is sending himself to certain demise.**<sup>19</sup> Abū Ayyūb said, 'O people! **You explain this Āyah the wrong way**<sup>20</sup>. It was revealed about us, the Ansār when Allāh gave victory to His religion and its following increased. We said to each other, 'It would be better for us now if we return to our estates and attend to them.' Then Allāh revealed this Āyah (2:195)'."

Abū Bakr bin `Aiyash reported that Abū Ishaq As-Subai`y related that a man said to Al-Barā' bin `Azib, **"If I raided the enemy lines alone and they kill me, would I be throwing myself to certain demise"** He said, **"No. Allāh said to His Messenger:**

[فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلِّفُ إِلَّا نَفْسَكَ]

**(Then fight (O Muhammad) in the cause of Allāh, you are not tasked (held responsible) except for yourself.) (4:84)** That Āyah (2:195) is about (refraining from) spending." Ibn Marduwyah reported this Hadīth, as well as Al-Hākim in his Mustadrak who said; "It meets the criteria of the Two Shaykhs (Al-Bukhārī and Muslim) but they did not record it."

The brother then continues by writing the following:

**"Perhaps the second most important thing to direct the reader's attention to is the difference between an act of war which involves a suicide (such as a suicide bombing) and an act of war which is apparently suicidal (such as a lone warrior charging the ranks of the enemy in the near-certain knowledge that he will be killed in the process).**

**No scholar disputes the praiseworthiness of the second type of act It is only the first type of act, that is, the predetermined, intentional taking of ones own life in a clear act of suicide, which remains a subject of contention."** [End Quote Ben Ādam]

So the brother himself implicitly admits that an act of war which involves a predetermined, intentional taking of ones own life is actually a subject of contention, meaning that it is not clear-cut either way and it is an issue which scholars have differed on<sup>21</sup>. So the obvious question would be to ask the brother, if this is a contentious issue which scholars have differed on then why are you writing a document condemning such acts??? And is not the brother aware that Shaykh Al-Albānī (**Rahimahu 'Llah**) who is a scholar that the brother claims to admire and follow does not equate this act as an action of suicide as can be seen from the following conversation:

*Questioner: "In modern warfare there is something called, 'Commandos' or 'Suicide groups'"*

<sup>19</sup> Notice how the brother is repeating the exact words of the mistaken Muslims from before and how Abū Ayyūb Al-Ansārī (Radiya 'Llahu 'anhu) had to correct their erroneous understanding. How similar is Today to Yesterday!!!

<sup>20</sup> Yes brother you've explained this Āyah the wrong way!!!

<sup>21</sup> We'll mention later the names of the scholars who differ with the brother on this issue Insha'Allāh.

Shaykh: "Yes"

*Questioner: "There could be enemy forces that cause harm to the Muslims...Therefore they setup a 'Commando' or 'Suicide group' that place bombs, and they blow up the enemy tanks, what is the ruling on this and is it Suicide?"*

Shaykh: **No, suicide is when you kill yourself to get rid of your terrible life. But what you are asking about is not suicide - In fact it is Jihād in the way of Allāh...**<sup>22</sup>

You must take note here – That this must not be done out of your own accord – This should be done by the order of the army general.

...If the general is able to sacrifice this soldier, and he sees that this action will kill many of the disbelievers – Then the final word is to him and you must obey him. Even if you don't want to, you must obey the order...."

*Questioner: "There is no harm?"*

Shaykh: **"No harm because we don't call this 'suicide'. Suicide is one of biggest forbidden actions in Islām. No one commits it except that they are angry with their Lord, denying Allāh's fate for him. We seek refuge in Allāh!"**<sup>23</sup>

**But the soldier he is similar to the 'Salaf' that used to attack a large group of disbelievers with nothing but his sword until death meets him. And he is patient and firm because he believes that he is looking for Jannah.**<sup>24</sup>

**There is a great difference between who dies in this Jihādi way, and who commits suicide to rid himself of his life.**<sup>25</sup>

Or if a person does it out of his own accord because this goes under throwing oneself in destruction. If the army general knows the battlefield and its reality, and all the affecting factors. Then this is something encouraged."<sup>26</sup> [End Quote Shaykh Al-Albānī (Rahimahu 'Llah)]

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<sup>22</sup> Notice how the Shaykh (Rahimahu 'Llah) gives the correct Shari'ah definition of suicide (which is the same as what we've mentioned earlier) and then clarifies that such an action is in fact Jihād.

<sup>23</sup> Again another confirmation from the Shaykh (Rahimahu 'Llah) that such an action is not suicide.

<sup>24</sup> Look how the Shaykh (Rahimahu 'Llah) makes an analogy between such modern-day operations and that of a lone warrior from amongst the Salaf who bravely plunges themselves into the enemies' ranks seeking nothing else but Martyrdom.

<sup>25</sup> Yes, a great difference indeed!!!

<sup>26</sup> The Video can be downloaded from the following link:

<http://www.youtube.com/watch?v=zbkDRfOe2bQ>

Note: We are fully aware that the Shaykh (Rahimahu 'Llah) placed a condition upon this fatwā by stating in another place that it should be done under the leadership of an Imām or Khalifah. But the point is that he doesn't view such an action to be an act of suicide which is harām within itself rather he only views it to be harām due to it lacking

Next the brother writes:

“Speaking of contention, the argument that the term “suicide bombing” is one invented by the “disbelievers” and their ‘Jew-controlled media’ to vilify the “Mujāhideen”, and should therefore be abandoned, is rather weak and self-defeating.

Suicide bombings themselves are the invention of non Muslims. For a long while, the only nominally-Muslim groups that utilized the tactic were the heterodoxical Shia, a sect which has innovated an entire calendar of rituals commemorating martyrdom. And considering how Shiism is, ultimately, a death cult, the Shia's raising of suicide to the rank of martyrdom is a not unexpected regression. Shiism is, after all, the only Mecca-facing confession which considers self-flagellation an act of Godliness. It is only recently, in the footsteps of the heretical Shia, that some so-called Sunni Muslims have gained infamy for suicide bombing. The actual chronological chain of suicide bombing looks something like this:

Japanese Kamikaze (Shintoist) ~ Tamil Tiger separatists (Marxist Hindu) ~ Hezbollah, Amal (Rafidhi Shia) ~ Ba'athists, PKK (Communists) ~ Islāmic Jihād (Palestinian neo-Shia) ~ HAMAS (Ikhwanī “Sunni” Muslims) ~ Al-Qaeda (Kharijites - nominally Sunni).” [End Quote Ben Ādam]

So the brother mentions that this type of warfare was something that was first invented and utilised by the Kuffār and it is only in recent times that this mode of warfare had been utilised by people claiming to be Muslims, so due to it originating from the Kuffār the brother has come to the conclusion that it is subsequently something which is harām.

This deduction is not correct and can be refuted by the following evidences:

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ  
وَعَآخَرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُونَهُمُ اللَّهُ يَعْلَمُهُمْ

“And make ready against them all you can of power, including steeds of war to threaten the enemy of Allāh and your enemy, and others besides them, whom you may not know but whom Allāh does know.”<sup>27</sup>

Shaykh ‘Abdur-Rahmān As-Sa’dī (Rahimahu ‘Llah) says in his Tafsīr of this verse: **i.e., everything that you can muster, of intellectual and physical strength, all kinds of weapons and so on, which will help in fighting them. That includes all kinds of manufacturing of various types of weapons and means of defence, machine guns, bullets, aircraft, land and sea vessels, strongholds, trenches, defensive weapons, and developing wisdom and policies that will help the Muslims to advance and ward off the evil of their enemies, and learn how to shoot, how to be brave and how to manage**

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a condition which he placed upon it, i.e. The presence of an Imām or Khalīfah to perform Jihād (this is something we’ll refute later on in this document Insha’Allāh).

<sup>27</sup> Sūrah al-Anfāl 8:60.

**resources.** Hence the Prophet (peace and blessings of Allāh be upon him) said: “Strength is shooting.”<sup>28</sup>

That also includes preparing the vehicles that are needed when fighting. Hence Allāh says “including steeds of war to threaten the enemy of Allāh and your enemy”. **This reason existed at that time, which was to scare the enemy and the ruling depends on that reason. If there is something that could instil more fear in the enemy<sup>29</sup>, such as land vehicles and aircraft which are prepared for fighting, then we are enjoined to prepare them and acquire them, and if we do not have them, then we should learn how to manufacture them. That is obligatory, because “that which is essential to fulfilling an obligatory duty is also obligatory.”**<sup>30</sup> [End Quote Shaykh ‘Abdur-Rahmān As-Sa’dī (Rahimahu ‘Llah)].

So my question to the brother is who invented machine guns, was it the Muslims or the Kuffār??? Who invented bullets, was it the Muslims or the Kuffār??? Who invented aircraft, land and sea vessels, was it the Muslims or the Kuffār??? So does the fact that these types of weaponry originated from the Kuffār make them harām for the Muslims to use??? The answer is of course not!!! Due to the above mentioned Āyah with its correct tafsīr. The only thing which needs to be proven is that it is something which is allowed in the Shar‘ah which is something we will do with the issue of Martyrdom Operations **Insha’Allāh.**

Another evidence to support the point about the permissibility of Muslims utilising the inventions of the Kuffār is the fact that the Messenger of Allāh (**Salla ‘Llahu ‘alayhi wa sallam**) did this as can be seen from the following excerpt:

“The Quraish, Kinanah and other allies from Tihamah, in the south rallied, ranked and recruited four thousand men under the leadership of Abū Sufyan. From the east there came tribes of Banū Sulaim, Ghatafan, Bani Murrah, Fazarah and Ashja’ etc. The commander of Fazarah was ‘Uyanah bin Hisn, of Murrah was Harith bin ‘Auf, and of Ashja’ was Mis’ar bin Rakhilah. They all headed for Madinah and gathered in its vicinity at a time already agreed upon. It was a great army of ten thousand soldiers. They in fact outnumbered all the Muslims in Madinah, women, children and elders included.

To tell the truth, if they had launched a surprise attack against Madinah, they perhaps could have killed all the Muslims. However, the leadership inside the city was on the alert and the intelligence personnel managed to survey the area of the enemies, and reported their movement to the people in charge in Madinah.

**Allāh’s Messenger (Salla ‘Llahu ‘alayhi wa sallam) held a council and conducted a careful discussion of a plan to defend Madinah. After a lengthy talk between military leaders and people possessed of sound advice, it was agreed, on the proposal of an honourable Companion, Salman Al- Farisi (Radiya ‘Llahu ‘anhu), to dig trenches as**

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<sup>28</sup> Refer to Sahīh Muslim Hadīth # 4946 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>29</sup> So the Shaykh (Rahimahu ‘Llah) mentions that if there is something which can instil more fear in the enemy then it is enjoined upon the Muslims to either prepare them or acquire them. We’ll prove later on Insha’Allāh that there is nothing that causes more fear in enemy than Martyrdom Operations.

<sup>30</sup> Refer to Taysīr Al-Karīm Ar-Rahmān Pages 285-286.

**defensive lines. The Muslims, with the Prophet (Salla 'Llahu 'alayhi wa sallam) at their head, encouraging, helping and remembering the reward in the Hereafter, most actively and laboriously started to build a trench around Madinah. Severe hunger, bordering on starvation, could not deter or discourage them from achieving their desperately sought objective. Salman (Radiya 'Llahu 'anhu) said: O Messenger of Allāh! When siege was laid to us in Persia, we used to dig trenches to defend ourselves. It was really an unprecedented wise plan (in Arabia).**<sup>31</sup>

Allāh's Messenger (Salla 'Llahu 'alayhi wa sallam) hurriedly gave orders to implement the plan. Forty yards was allocated to each group of ten to dig. Sahl bin Sa'd said: We were in the company of the Allāh's Messenger (Salla 'Llahu 'alayhi wa sallam), the men used to dig and we would evacuate the earth on our backs."<sup>32</sup> [End Quote Shaykh Saif-ur-Rahmān Al-Mubarakpuri (**Rahimahu 'Llah**)].

Also another ironic fact about all of this is that the brother holds an identical opinion to the Jews, Christians, Secularists and the faulty scholars on this issue. Surely that says a lot about the brother than it does us!!!

The brother then sticks his neck out on the line and boldly ends this chapter by writing:

**"In fact, prior to the suicide bombing of our time, there is no precedent whatsoever in the history of Islām of the Sunni Muslim being praised for wilfully taking his or her own life on or off the battlefield - whatever the intention."** [End Quote Ben Ādam]

So look how confidently the brother makes such a statement that there has been no time in Islāmic history that a Sunni Muslim has been praised for wilfully taking their life on or off the battlefield – whatever the intention. Well I'm sorry to disappoint the brother but the following account from Imām Ibn Kathīr (**Rahimahu 'Llah**) totally disproves this point:

"When it was the month of *Jumada al-Awwal*, the severity of siege of the Crusaders – may Allāh curse them - on the city of 'Akka (Acre) became severe, and they poured forth from every deep and distant (wide) mountain, and the King of England approached them as part of a great crowd of numerous people, in twenty five caravans loaded with fighters.

And through them, the warriors at the frontlines were tried with a tribulation that is unlike anything that has come before it. So at that time, the *Ku'sat* (a fleet of ships of the Crusaders) moved towards the land, and it was a sign of what was between them and the ruler, so the ruler moved *Ku'sat* and it came closer to the land. So, he switched to one that was closer to it in order to keep them away from land. And they had surrounded him from every side and unleashed seven catapults upon him, and they would strike the land day and night, including the tower of the Eye of the Cow - until they left a clear mark on it - and they filled the trenches with what they could of dead animals, their own corpses of those who were killed or died. And the people of the town would throw what they threw into the sea. And the king of England intercepted a great supply that was meant for the Muslims that had come from Beirut and was filled with relief supplies and weapons - so he seized it. And he was standing in the sea with forty ships and would not leave anything that was coming towards the town. **And**

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<sup>31</sup> So look how the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) adopted the war strategy of digging trenches which was an invention of the Polytheistic Fire worshipping Persians!!!

<sup>32</sup> Refer to "The Sealed Nectar" (Ar-Raheeq Al-Makhtum) Pages 364-365.

included in the fleet were six hundred leading heroic fighters [Mujāhidīn], so they died, all of them, till the least of them – may Allāh have mercy on them; because when they were surrounded from all corners, they realized that they would either drown or be killed (by the Crusaders). So, they made holes in the sides of the ship and caused it to sink. Thus, the Crusaders were not able to seize anything from it of its provisions or weapons. The Muslims became extremely sad at this loss, so to Allāh we belong, and to Him we will return."<sup>33</sup> [End Quote Imām Ibn Kathīr (**Rahimahu 'Llah**)]

So look at how highly Imām Ibn Kathīr (**Rahimahu 'Llah**) looked up to the actions of these Muslims, and how he praised them by describing them as "*leading heroic fighters.*" He (**Rahimahu 'Llah**) also prayed for Allāh to have mercy upon them, and this was despite the fact that as he clearly narrates, "*So, they made holes in the sides of the ship and caused it to sink.*" Meaning, they did that with *their own hands*.

It is clear that Imām Ibn Kathīr (**Rahimahu 'Llah**) praised these actions due to the great *Shar'i* benefit contained in not allowing the Crusaders to take any prisoners from amongst them, nor allowing them to gain from their provisions and weaponry - as was mentioned in the narration itself.<sup>34</sup>

## REFUTATION OF THE CHAPTER “THE EFFICACY OF SUICIDE BOMBING”

The next chapter in the book is titled “*The Efficacy of Suicide Bombing*”<sup>35</sup> in which the brother writes the following:

**“In the long term, suicide bombing proves to be a redundant military tactic at best and wholly counter-productive at worst. And this is due to military-targeted suicide bombing following a law of diminishing returns.**

**In essence, suicide bombing relies upon the element of surprise and penetration. Once the enemy becomes wise to the tactic, it becomes militarily ineffective. Instead, anyone or anything perceived as a potential threat approaching the perimeter of a military target is fired upon. Many innocent civilians have been killed this way, on the mere suspicion that they were suicide bombers.”** [End Quote Ben Ādam]

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<sup>33</sup> Refer to Al-Bidiyāh wan-Nihyāh (12/342-343).

<sup>34</sup> This again supports what we have mentioned before that actions such as these are not considered to be acts of suicide rather they have been praised by the great Islāmic scholars of the past such as Imām Ibn Kathīr (**Rahimahu 'Llah**) and others besides him because they understand that those undertaking such actions are in reality sacrificing their lives in order to benefit Islām and Muslims or to repel any harm towards Islām and Muslims (This is a principal that we will discuss later on Insha'Allāh).

Note: It should be apparent by now to the reader the amount of mistakes which the brother has made during this first chapter, whether it is in explaining the verses of Qur'ān or explaining the Ahadīth or whether it is simply to do with relating historical facts. Sadly this is a trend that continues all throughout his book!!!

<sup>35</sup> This chapter spans from page 7 to 8 in the book.



So the brother tries to convince the reader that these Martyrdom Operations are at best totally ineffective and can even be counterproductive because any Operation which targets these heavily fortified bases of the Kuffār are doomed to failure because eventually the enemy will know how to deal with them and as a result the only losers end up being innocent Muslims who are indiscriminately fired upon and killed because they are suspected of being bombers targeting these very bases. The first question that springs to mind is: Is the brother naive enough to think that these Kuffār soldiers don't kill innocent Muslims anyway and that they only do so when they feel threatened or at risk???<sup>36</sup> Isn't the brother aware of the many atrocities that the Kuffār have inflicted upon the Muslims each and every time they have invaded a Muslim land???<sup>37</sup> Isn't he aware how Allāh (**Subhanahu wa ta'ala**) informs us that this is a fact when He (**Subhanahu wa ta'ala**) says:

وَلَا يَزَالُونَ يُقَاتِلُونَكُمْ حَتَّى يَرُدُّوكُمْ عَنْ دِينِكُمْ إِنِ اسْتَطَاعُوا

*“And they will never cease fighting you until they turn you back from your religion (Islāmic Monotheism) if they can”*<sup>38</sup>

Imām Ibn Kathīr (**Rahimahu 'Llah**) commented on this verse by saying: “So, they will go on fighting you with unrelenting viciousness.”<sup>39</sup> [End Quote Imām Ibn Kathīr (**Rahimahu 'Llah**)]

With regards to the Efficacy of Martyrdom Operations and the effects that they have upon the enemy then the best way to determine whether they are effective or not is to see what the enemy themselves have to say about them. The following is an excerpt taken from pages 14-16 of the book titled “**SUICIDE TERRORISM – A TACTICAL WEAPON WITH STRATEGIC EFFECTS**”<sup>40</sup>

<sup>36</sup> A typical example of this is the leaked video footage of a US helicopter firing upon and killing 12 Muslim civilians in Iraq, the story and video can be seen at the following link: <http://english.aljazeera.net/news/americas/2010/04/201045123449200569.html> This is just one example of many, but the point at hand is that these Kuffār don't need any justification to perform such atrocities against the Muslims.

<sup>37</sup> The examples of these are many from the Massacres that the Crusaders inflicted upon the Muslims of Jerusalem during the first Crusade to those of more recent times such as the Massacres that the Serbs inflicted upon the Muslims of Bosnia, as well as many other places which again goes to show that the Kuffār don't need any justification when performing atrocities against Muslims. So the reader should beware of this deception that the brother is trying to promote!!!

<sup>38</sup> Sūrah al-Baqarah 2:217.

<sup>39</sup> The Tafsīr of this verse by Imām Ibn Kathīr (**Rahimahu 'Llah**) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=2&tid=5727>

<sup>40</sup> This book is written by Major Hewett Wells who is part of the United States Air force. The book can be downloaded from the following link: <https://www.afresearch.org/skins/RIMS/display.aspx?moduleid=be0e99f3-fc56-4ccb-8dfe-670c0822a153&mode=user&action=downloadpaper&objectid=a5d453e9-aa47-4bc5-8905-17761e893022&rs=PublishedSearch>

It is highly recommended to download this book to see exactly how fearful the enemy are of Martyrdom Operations. This again goes to prove how the brothers assessment of

## Operational Advantages of Suicide Terrorism<sup>41</sup>

“Militant organizations with limited conventional capabilities pursue unconventional operations out of necessity. If guerrilla warfare proves inadequate to achieve their nationalist aspirations, other methods are considered. If proper conditions exist, the organization may revert to terrorism and in some cases suicide terrorism. Suicide bombing campaigns co-exist with regular insurgent tactics (non-suicidal bombings, shooting ambushes, stabbings, assassinations, etc).

For the supporting organization, **suicide attacks require little training and equipment compared to fielded forces and conventional military operations. Suicide attacks are cheap, difficult to predict, and can produce a high kill ratio.** Suicide is essential to the lethality of the attack as the attacker’s purpose is to die and to kill the maximum number of people from the opposing community or target audience. In addition, **the horror factor of this tactic increases the attack’s psychological effect.** Delivery mode can be personnel, vehicle, aircraft, or boat. In Pedahzur’s study, 53.3 percent of the attackers detonated an explosive belt directly attached to their body, 25.1 percent drove a car rigged with explosives, 5.3 percent drove a car, 4.5 percent carried a handbag, 4.1 percent activated explosive boats, 3.3 percent detonated hand grenades, and 1.7 percent used a booby-trapped bicycles. Comparatively, the September 11, 2001 attacks were unique in both method and lethality.

The targets of suicide attacks may be civilian or military personnel, national leaders, police forces, a transit system, or infrastructure. As compared to non-suicide bombings, **a suicide attack has a smaller window of vulnerability, reducing the opportunity to find, move, or disarm the device. The attacker is stealth-masked until detonation, which allows precise delivery to the target and allows attacking harder targets.** The attacker can make last-minute adjustments, requires no escape route or capture-avoidance measures, and may act without fear of punishment. **This tactic also ensures operational security as there is no one left to interrogate. Similarly, there are no wounded comrades to place logistical strain on the organization and supporting community. A suicide attack can threaten a military target that is immune to ordinary insurgent or guerrilla tactics; e.g. crashing a vehicle through a secured checkpoint. It may also offer opportunities to assassinate prominent leaders not accessible by other tactics.** In addition, attacking large numbers of civilians can create generalized fear and panic across the target audience.

The terrorist organization can reap multiple benefits on various levels without incurring significant costs. A completed suicide attack demonstrates an individual’s complete dedication to a group and its cause, which inspires others and can add legitimacy to the organization. In addition, the attack sacrifices one member, or in some cases a few, yet enables the organization to recruit many more or mobilize a community to support the movement. The community views the suicide attack as the ultimate sacrifice for an

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**them is totally false; in fact everything he has said thus far has been proven to be false!!! This is a trend that sadly continues all throughout his book.**

<sup>41</sup> Of course we don’t refer to it as Suicide rather it is Martyrdom. The only people who really refer to it as suicide are the Jews, Christians, Secularists, faulty scholars and this brother!!!



organization with no other avenues to resolve their grievances. Bloom suggests, somewhat perversely, that the suicide attacker is acting out the drama of being the ultimate victim and claims for their cause the moral high ground.

Perhaps the most troubling operational advantage is the element of surprise is clearly with the attacker, which allows them to exploit counterterrorism measures. The terrorists will always have the advantage of picking the time, place, and manner of their attack. Even if a target community is able to consolidate good strategic intelligence about the terrorist groups, their objectives, the capabilities and methods they might use, it is very challenging to obtain tactical intelligence about the date, place, and method of attack. Operational cells tend to be small, secretive, and suspicious toward outsiders. They are ruthless toward anyone suspected of betrayal and highly conscious of operational security. Therefore, it is difficult to gain intelligence specific enough to prevent an attack.

Therefore, by combining the motivational factors and operational advantages it is reasonable to conclude there is some rational organizational logic to the suicide attack campaigns in asymmetric conflict. However, employment of suicide terrorism as a tactic within a terrorist movement is contingent on community support and individuals willing to execute and attack.” [End Quote Major Hewett Wells]<sup>42</sup>

The brother then continues by writing the following:

**“Hence the overwhelming majority of suicide attacks are carried out against what are referred to in military parlance as “soft targets”: women shopping in marketplace bazaars, commuters travelling in buses or waiting in bus cues, employees in their offices, and so on. This is certainly the case in Iraq, Afghanistan and Pakistan where the heretical *takfiri* ideology of the bomber makes the blood of innocent Muslim men, women and children worthy of spilling even while they are worshipping alongside other believers in mosques, or fasting during the sacred month of Ramadan!” [End Quote Ben Ādam]**

**La hawla wa la quwwata illa billah** this indeed is a tremendous slander and probably the worst lie amongst the many lies that the brother has written in this pathetic book of his!!! So my question to the brother is: Have the Mujāhideen ever claimed responsibility for such attacks??? If not then why are you claiming that they are behind such attacks??? Also are you

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<sup>42</sup> **Look how this enemy of Allāh has listed some of the following advantages of Martyrdom Operations, how they: 1) Require little training and equipment compared to fielded forces and conventional military operations 2) Are cheap 3) Are difficult for the enemy to predict 4) Can produce a high kill ratio 5) Have deep psychological effects on the enemy 6) Are difficult for the enemy to detect 7) Are more precise against harder targets 8) Are more operationally secure than other war methods 9) Less logistically straining than other war methods 10) Are more effective on hard targets than other war methods 11) Are more secure than other war methods 12) Are more effective on military targets than other war methods etc.**

**Note: Major Hewett Wells after listing the obvious benefits of Martyrdom Operations later mentions in his book that it is essential to prevent them and suggests trying to make them seem wrong amongst the community, i.e. The Muslims. Ironically this is exactly what the brother has done in his book and has thus served the agenda of the Kuffār!!!**

not aware that they have always denied such attacks??? But anyway let me just prove the point by showing everyone what they themselves say about such attacks, the following is a transcript of a talk titled ‘**The Mujāhideen Don’t Target Muslims**’<sup>43</sup> done by Brother Ādam Yehiye Gadahn (Azzam) and was produced by As-Sahab Video Productions on December 2009:

“[In Arabic:] Praise be to God, blessings and peace be upon the Messenger of God, and upon his righteous companions and followers.

As the Americans and their allies drown in desperation and defeat and clutch at straws in Afghanistan, and as the Pakistan Army continues its ultimately futile operations in Waziristan, Swat, and the tribal belt, and as the Mujāhideen resolutely defend their strongholds and continue to deal crushing blows to the pillars of the regimes in Islāmabad and Kabul, **we have also begun to see an increase in random bombings and attacks that target innocent Muslims, often in known centres of support for the Mujāhideen. These criminal acts usually result in large number of casualties, especially among women and children. And invariably the enemies of Islām and Muslims pin the blame for them on the Mujāhideen. The Mujāhideen's denials of responsibility fall on deaf ears.** Whereas the uncorroborated allegations of the regimes are carried without criticism and in a one-sided way by the so-called independent media in Islāmabad, Kabul, and other world capitals. Why? Because these media are now willing weapons of propaganda in the pockets of the crusaders and their puppet governments and armies allied with them.

Not only do these immoral and biased media organizations shamelessly slander the Mujāhideen, they also conspire with the regimes to cover up the true extent of the losses suffered by the apostate puppets of the crusaders and even describe those killed as martyrs. If there is any irony to be found in all this tragedy, it is that the very same media and governments which once wanted you to believe that the blessed operations of September 11, 2001, uh, were actually carried out by the CIA or the Mossad and not the Mujāhideen are today telling you that the Mujāhideen and not agents and mercenaries of the ISI, [RAU (?)], **the CIA or Blackwater, are the real culprits behind these senseless and un-Islāmic bombings which target Muslims in their markets, mosques, schools, shops and streets.**

The hypocrites want you to believe that the same Mujāhideen, who as everyone has seen and attested to, are by the grace of Allāh, *subhanahu wa t’ala* (“Glorious and Most High”), able to strike deep within the headquarters of the apostate regimes, uh, intelligence organs and military establishments, and are able to infiltrate the residence and offices of their foreign infidel sponsors...**they want us to believe that these same Mujāhideen are now so at a loss for targets that they have been reduced to bombing innocent Muslim shopkeepers,**

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<sup>43</sup> A PDF version of this transcript can be downloaded from:

<http://comops.org/journal/wp-content/uploads/2009/12/gadahn-mujahideen-dont-target-muslims.pdf>

and the video can be viewed and downloaded from:

Part 1:

[http://www.youtube.com/watch?v=ftoSBdzcgqQ&annotation\\_id=annotation\\_940004&feature=iv](http://www.youtube.com/watch?v=ftoSBdzcgqQ&annotation_id=annotation_940004&feature=iv)

Part 2: <http://www.youtube.com/watch?v=etwygPOPx8c&feature=related>

**shoppers and commuters, and killing and maiming defenceless men, women, and children without mercy and without regard for morality principles and the laws of Allāh.**

But I ask every intelligent and thoughtful Muslim to ask himself: Who are the likelier culprits in such brutal, heartless, and unjust attacks? Are they the Mujāhideen who have sacrificed everything to defend and liberate weak and oppressed Muslim peoples, uh, wherever they might be, and who have dedicated their very lives to the implementation of Islām and its Sharia which forbids the taking of even one innocent life? Or are the real culprits the armies and spy agencies who answer to no god other than money and no law other than the law of the jungle, and who massacred innocent women and children previously in Lal Masjid (the “Red mosque” in Pakistan), Shindand (in Afghanistan), Kunduz (former Taliban stronghold in Afghanistan), and elsewhere in the region, and even as we speak in Waziristan? **And then tell me, what possible benefit could there be for the Mujāhideen that would make them perpetrate such ugly incidents? On the contrary, the perpetration of such deplorable acts and the opinion of responsibility for them on the Mujāhideen only serves the enemies of Islām and Muslims who are today staring defeat in the face by the grace of Allāh first and foremost and then by virtue of the Mujāhideen's resolve and the help they have received from the supporters, Mujāhid Muslim public who are now being targeted.**

As we have seen, after such incidents the real killers of Muslims and the destroyers of Muslim homes, Mosques, schools and markets Afghanistan, Swat, Waziristan, Peshawar, Baluchistan, and elsewhere in the, uh, Pak-Afghan region...in other words Obama, Clinton, Belore [sic, Blair?], Kharzai, [Pakistani General] Kayani, [Pakistani Prime Minister] Gilani, [Pakistani President] Zardari and the rest of the lot...these people are able to stand up and mouth platitudes and hypocritically state that they are the defenders of Muslims against the so-called Islāmic militants and extremists...uh...who supposedly planted, uh, these bombs. **But what the puppet media don't tell you is that the Mujāhideen have condemned and continue to condemn all attacks the kill and wound innocent Muslims in the markets, mosques, streets, schools and homes. The Mujāhideen declare themselves innocent of these attacks and pronounce them part of a cynical, calculated, and clandestine international campaign by the secular political forces, devious intelligence agencies, and obedient puppet media, designed to drive a wedge between the Mujāhideen and the same Muslim public which has for more than eight years backed and supported them in their victorious jihād against the crusaders and their allies in the Pak-Afghan region. We express our condolences to the families of the Muslim, uh, men, women and children killed in these criminal acts and we ask Allāh *subhanahu wa t'ala* (“Glorious and Most High”) to have mercy on those killed and accept them as martyrs (*shuhadda*) and quickly heal the wool--and to quickly heal the wounded.** We also express the same to the unintended Muslim victims of the Mujāhideen's operations against the crusaders and their allies and puppets, and to the countless, faceless, and nameless victims of the murderous crusades, uh, or murderous crusader sponsored and directed, uh, campaigns of terror, uh, currently, uh, underway in Waziristan, Swat, uh, Afghanistan, and elsewhere...in the region. These victims are victims whose suffering and losses you don't and won't see and hear about. Why? Because the puppet media has been ordered to refrain from showing you the real face of the enemies of Islām who claim to be acting in defence of you.

My Muslim brothers and sisters in Afghanistan, Pakistan, Kashmir, India, Bangladesh, and the region: The corrupt puppet armies and the affiliated intelligence agencies who fight and kill their own populaces and displace them and leave them homeless for a few billion dollars of crusader bribes, they aren't your friends and protectors. The atheistic, uh, ethnic and tribal nationalists who murder their own learned men (*Alam*) to advance their evil ideologies and please their polytheist-idolater (*mushrik*) patrons and paymasters, they aren't your friends and protectors. The apostate secular regimes who oppress, rob, and imprison you and sell-out the sovereignty of your countries for personal profit, they aren't your friends and protectors. The opportunistic political parties who ask for your votes and money in the name of Islām and then break all their promises once they come to power, they aren't your friends and protectors. The corrupt police forces which get fat off the bribes they extract from the poor and helpless Muslim masses, they aren't your friends and protectors. The anti-Sharia judiciaries who judge according to un-Islāmic constitutions and statutes instead of the Qur'ān, and occupy their time with regulating sugar prices instead of going after the criminals who plant car bombs in your midst and destroy entire cities and villages in the tribal belt in Pakistan, they aren't your friends and protectors.

Your true friends and protectors are the Muslim Mujāhideen, who have risen up to defend YOU and YOUR RELIGION from these criminals, uh, whether individuals or institutions, and from the foreign infidel powers which support and direct them in their war against Islām and Muslims. So, my mu-Muslim brothers and sisters, don't be deceived by their evil plots. And don't let them dissuade you from CONTINUING to support the Muslim Mujāhideen, morally, physically, and financially. **On the contrary, such plots and such spilling of innocent blood, as we have seen in Peshawar and elsewhere, should only increase your resolve and determination to stand by the Mujāhideen in their battle against the aggression of the crusader occupation forces and their local allies.** Because after Allāh subhanahu wa t'ala ("Glorious and Most High") they are your only hope for deliverance from these foreign invaders, and the criminal apostate regimes, apostate political parties, and apostate armies who see absolutely nothing wrong with sacrificing their sovereignty, security, and Muslim citizens in exchange for a few billion dollars worth of American kickbacks.

In closing I address all those associated with or belonging to these regimes, parties and armed forces whether in Afghanistan, Pakistan, or elsewhere in the region. Those who have made the FOOLISH decision to stand with America and its allies and their losing war against Islām—and I address along with them the members of the irresponsible puppet media, which have agreed to be the, uh, loyal mouthpieces and pawns of these criminals in the, uh, propaganda war being waged, uh, parallel to the military campaign. With the face--fateful choice you made to side with the unbelievers and their crusade, you have not only betrayed Islām and Muslims and left the fold of faith, but you have also caused the destabilization of nations, and the displacement and death of thousands of weak and oppressed peoples. The BLOOD of countless innocent Muslims is on YOUR hands, and the future and security of the very countries you claim to defend and serve has been placed in jeopardy because your external enemies are taking advantage of your heedlessness as you fight and kill your fellow countrymen for American dollars. Keep these facts in mind as you listen to the words of Allāh subhanahu wa t'ala ("Glorious and Most High") in Sūrah an-Nisā (Chapter Four – "The Women"), verses 17 and 18:

[Recitation of the verses in Arabic (sounds like the late Egyptian Shaykh al-Husari)]

[Gadhan translates the verses into English:] “Forgiveness is only incumbent on Allāh towards those who do evil in ignorance and then turn quickly in repentance toward Allāh. Those are they toward whom Allāh relents. Allāh is all knowing, all wise. Forgiveness is NOT for those who do evil deeds until death comes upon one of them he says: Now I repent. Nor for those who die while they are disbelievers. For such We have prepared a painful punishment.”

This is a severe warning from Allāh to every unbeliever, apostate, and sinful Muslim and anyone with an ounce-weight of goodness in him cannot help but be affected by it. So isn't it about time that you face up to your mistakes and repent of your apostasy and other deadly sins? Repentance is still possible as long as one is still alive. But if one chooses to continue such a futile fight, one may not have much long--mmmm, may not, may not have much longer to live because history and experience shows that death often comes suddenly to people like you who wage war against, Allāh, his Messenger, his religion, and his believing slaves. So repent today before your death rattle signals that your time is up, at which point regret and repentance will no longer be of any benefit.

[In Arabic:] All praise belongs to Allāh, the Lord of all the worlds.” [End Quote Brother Ādam Yehiye Gadahn (Azzam) (**Hafidhullah**)]

Next the brother writes:

**“As regards US military losses in Iraq, they have almost all been as a consequence of IEDs and small-arm skirmishes. Incidentally, it was also thanks to losses incurred from remotely detonated roadside bombs that the Israelis were forced to give up south Lebanon.”** [End Quote Ben Ādam]

This statement doesn't actually refute the effectiveness of Martyrdom Operations because according to Kuffār military statistics any casualty that dies as a result of So-called Suicide Bombings are classified as dying from an IED<sup>44</sup>

The brother then continues to write:

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<sup>44</sup> The Kuffār military definition of an IED can be seen at the following link:

[http://en.wikipedia.org/wiki/Improvised\\_explosive\\_device#Types\\_of\\_devices](http://en.wikipedia.org/wiki/Improvised_explosive_device#Types_of_devices)

Notice how under the heading “By delivery Mechanism” many of them are what the brother would refer to as Suicide Bombings.

**Note:** We are very surprised that the brother actually speaks highly of Roadside Bombs given that the casualty dies in a process involving fire, and we are very surprised that he hasn't tried to dupe the readers into also believing them to be harām by using the following Hadīth narrated by Abū Hurayrah (*Radiya 'Llahu 'anhu*), according to which the Prophet (*Salla 'Llahu 'alayhi wa sallam*) said: “No one should punish with fire except Allāh.” Refer to Sahīh al-Bukhārī Hadīth # 3016 ((*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*). And the Hadīth narrated by ‘Abdullāh Ibn Mas’ūd (*Radiya 'Llahu 'anhu*) in which the Prophet (*Salla 'Llahu 'alayhi wa sallam*) saw an anthill that one of the Companions had burned with fire and he said: “No one should punish with fire except the Lord of fire.” Refer to Sunan Abū Dāwūd Hadīth #2675 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*), classed as sahīh by al-Nawawī in Riyadh al-Sālihīn Hadīth # 519 and by al-Albānī in al-Silsilah al-Sahīhah Hadīth #487.

**“Staying with Lebanon, all the fights that were won there against the Jewish state were done so through conventional military means. In 2006, for example, Hezbollah inflicted severe losses on the Israelis without offering a single suicide bombing. It is as if the Shia have abandoned the tactic they once championed after they passed it on to the poor Palestinians! As for Chechnya, during the First Chechen War of 1994-1996 which the Chechens actually won, suicide bombing was not utilized at all. In the ongoing Second Chechen War since 1999, we have seen a proliferation of suicide bombing, but to an ever diminishing affect and in an increasingly desperate and futile war.” [End Quote Ben Ādam]**

What should have become clear to the reader by now is that Martyrdom Operations are primarily utilised when there is a lack of conventional military means available and are used out of necessity rather than choice, this is something that has been mentioned earlier from the quote of Major Hewett Wells when he said:

**“Militant organizations with limited conventional capabilities pursue unconventional operations out of necessity. If guerrilla warfare proves inadequate to achieve their nationalist aspirations, other methods are considered. If proper conditions exist, the organization may revert to terrorism and in some cases suicide terrorism. Suicide bombing campaigns co-exist with regular insurgent tactics (non-suicidal bombings, shooting ambushes, stabbings, assassinations, etc).” [End Quote Major Hewett Wells]**

So bearing this in mind why would a group such as Hezbollah who are known to be sponsored by states such as Iran and Syria and who are equipped with the cream of modern weaponry from the arsenals of Syria, Iran, Russia and China need to resort to what the brother terms as Suicide Bombings<sup>45</sup> in their war against the Israelis<sup>46</sup> when there is absolutely no need for them to???

Also does the brother think the Sunni Mujāhideen would need to utilise Martyrdom Operations if they were equipped in the same way as Hezbollah??? This is why you find the brothers in Palestine utilising such operations in the way that they do due to them having no one sponsoring them or equipping them and because of this they are forced to perform such operations out of dire necessity rather than choice.

The same applies to the brothers in Chechnya who also have neither anyone sponsoring them or equipping them and have little or no conventional military means left after fighting a relentless war against the Russians for nearly fifteen years in fact it is enough of a victory that

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<sup>45</sup> **Note: We would consider those performing such operations from Hezbollah to be committing suicide and being in the Hellfire due to the fact that they are Rawāfidh Shia whom the scholars of Islām have ruled upon with Kufr and Shirk which excludes them from Islām. And it is a known condition of the Sharī'ah that in order for an action to be accepted it must be performed by a Muslim which is what the Rawāfidh are not. This also applies to all other groups of Kuffār who perform such operations.**

<sup>46</sup> Some details of this can be found at the following link:

[http://en.wikipedia.org/wiki/2006\\_Lebanon\\_War](http://en.wikipedia.org/wiki/2006_Lebanon_War)

**Note: It is clear that during this conflict Hezbollah were being sponsored and equipped by both Iran and Syria and had at their disposal the latest types of weaponry from Iran, Syria, Russia and China.**



they are still going against an enemy who are far superior in terms of their numbers, equipment, technology, support etc.

May Allāh Assist our brothers in Palestine in their fight against the ancestors of the apes and swine. And my Allāh assist out brothers in Chechnya against the disbelieving Russian Atheists AMEEN.

The brother then ends the chapter by saying:

**“Also in Bosnia, Kosovo, the Soviet-Afghan war, and during the pre-9/11 Kashmir insurrection, the Muslims won their victories without ever employing suicide bombing.” [End Quote Ben Ādam]**

Again we go back to the point made earlier and that is in all these wars that the brother has mentioned the Muslims were helped by outside forces who either sponsored them, equipped them or even fought on their behalf, so there was no need for the Muslims to resort to Martyrdom Operations out of necessity or a last resort.

Take for example in Bosnia<sup>47</sup> despite the Muslims fighting they were helped by NATO security forces who intervened and forced the Serbs to withdraw and agree a peace treaty. The same occurred in Kosovo<sup>48</sup> where again NATO security forces came in and forced the Yugoslavs to withdraw and agree another ceasefire. As for the Soviet-Afghan War<sup>49</sup> again the Muslims were not left without alone and were helped against the Soviets by the likes of The US, The UK, Saudi Arabia, Pakistan and others.

I hope that I have highlighted the main differences between the wars in that the Muslims fought in Bosnia, Kosovo and Afghanistan (against the Soviets) and the wars that are currently taking place in Palestine, Chechnya, Afghanistan, Iraq and elsewhere, where in these wars the Muslims are fighting fierce battles and are without anyone sponsoring them, equipping them or helping them in fact if anything the whole world is against them even those who claim to be Muslims. In dire situations like these it is inevitable that the Muslim Mujāhideen are forced to resort to utilising Martyrdom Operations against the enemies of Allāh.

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<sup>47</sup> Some details of this can be found out at the following link:

[http://en.wikipedia.org/wiki/Bosnian\\_War](http://en.wikipedia.org/wiki/Bosnian_War)

**Note: It is clear that Muslims in Bosnia were helped by NATO troops**

<sup>48</sup> Some details of this can be found out at the following link:

[http://en.wikipedia.org/wiki/Kosovo\\_War](http://en.wikipedia.org/wiki/Kosovo_War)

**Note: It is clear that Muslims in Kosovo were also helped by NATO troops**

<sup>49</sup> Some details of this can be found at the following link:

[http://en.wikipedia.org/wiki/Soviet\\_war\\_in\\_Afghanistan](http://en.wikipedia.org/wiki/Soviet_war_in_Afghanistan)

**Note: It is clear that Muslims in Afghanistan were helped in their war against the Soviets by the likes of The US, The UK, Saudi Arabia, Pakistan and others, this is in stark contrast to the wars taking place today in Palestine, Chechnya, Afghanistan, Iraq etc where the Muslims are fighting the enemies of Allāh without anyone helping them and are forced to resort to utilising Martyrdom Operations against the enemy.**

## REFUTATION OF THE CHAPTER “THE RULING ON SUICIDE BOMBINGS”

The next chapter in the book is titled “*The Ruling on Suicide Bombing*”<sup>50</sup> in which the brother writes the following:

“As to the permissibility of suicide bombings as a tactic of **jihād** specifically, **Islām**’s most learned scholars have reached a consensus of sorts. The overwhelming majority of senior orthodox Sunni scholars, such as Shaykh Ibn ‘**Uthaymīn**, hold suicide bombing to be **Harām** (i.e. forbidden) in absolute terms because the tactic rests upon something which is itself **Harām** in absolute terms (i.e. suicide). Ibn ‘**Uthaymīn** said:

As for what some people do regarding activities of suicide, tying explosives to themselves and then approaching non-Muslims and detonating them amongst them, then this is a case of suicide; and **Allāh**’s refuge is sought. So whoever commits suicide then he will be considered eternally to Hell-Fire, remaining there forever, as occurs in the **hadīth** of the Prophet, saying:

*“And whoever kills himself with an iron weapon, then the iron weapon will remain in his hand, and he will continuously stab himself in his belly with it in the Fire of Hell eternally, forever and ever.”* [End Quote Ben **Ādam**]

The brother again begins by trying to fool the reader into believing that this is issue that is clear-cut amongst the scholars of **Islām** in which and there is no room for difference of opinion nor is it a matter of **Ijtihād**. He does this by claiming that the most learned scholars of **Islām** have reached a consensus of sorts.

Well I’m sorry to disappoint the brother again but there are many leading **Islāmic** scholars who hold the opposite view and do not view such actions to be suicide rather they view it to be Martyrdom. What makes things more ironic is that the brother would also respect these very scholars which I mention and I am also sure he would know that they hold this view also.<sup>51</sup>

Amongst the leading scholars that hold such an opinion are:

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<sup>50</sup> This chapter spans from page 9 to 10 in the book.

<sup>51</sup> Notice how many of the following names appear on their recommended scholars list which can be found at the following link: <http://athariyyah.webs.com/scholars.htm> We have purposely omitted the names of scholars whom the brother may find contentious; if we had indeed included their names then this list would have increased ten-fold. Also there are many councils and organisations of scholars that permit Martyrdom Operations such as: The Scholars of Al-Azhar, The Sudanese Organisation of **Islāmic** Fiqh, The Council of the Scholars of Palestine, and many others besides them around the world which brings the number of qualified scholars who permit Martyrdom Operations close to 200 in total, so my question to the brother is where is the consensus you are talking about???



- 1) Shaykh Muhammad Ibn Ibrāhīm Āl Ash-Shaykh (Former Grand Mufti of Saudi Arabia (d.1389H))<sup>52</sup>
  - 2) Shaykh ‘Abdullāh Ibn Humayd (Former Chief Justice of Saudi Arabia (d.1402H))<sup>53</sup>
  - 3) Shaykh ‘Abdullāh Ibn Jibrīn (Former member of the Permanent Committee for Islāmic Research and Fataawa in Saudi Arabia (d.1430H))<sup>54</sup>
  - 4) Shaykh ‘Abdullāh Ibn Munayyī (Member of the Permanent Committee for Islāmic Research and Fataawa in Saudi Arabia (Present))<sup>55</sup>
  - 5) Shaykh Muhammad Nāsiruddīn Al-Albānī (A leading Scholar of Hadīth of his Era (d.1420H))<sup>56</sup>
- As well as others besides them.<sup>57</sup>

With regards to the statement of Shaykh Ibn ‘Uthaymīn (**Rahimahu 'Llah**) then the brother has again chopped off parts from the beginning and the end and has only included that which he wants the reader to see and thus dupe the reader into thinking that the Shaykh (**Rahimahu 'Llah**) sees it as an issue which is clear-cut in which there is no room for Ijtihād or a difference of opinion. But lets see what the Shaykh (**Rahimahu 'Llah**) said in its entirety:

"That Allāh's Messenger, *sallallāhu alaihi wa sallam*, said, *"There used to be a king amongst those who came before you, and he had a sorcerer. So when he grew old he said to the king, I have become old so send a boy to me so that I can teach him sorcery"* the Hadīth. (Riyādh-us-Sālihīn, no. 30)

**Fourthly: That it is permissible for a person to expose himself to danger for a matter of general benefit to the Muslims, because the boy indicated to the king the way in which**

<sup>52</sup> Refer to the *Fatawa* of Shaykh Muhammad Ibn Ibrāhīm (6/207-208, # 1479), *Kitab al-Jihād*; First Edition, 1399 H. Note: The fatwā of the Shaykh (**Rahimahu 'Llah**) actually permits a person to kill themselves if they are being forced to reveal information which could lead to the death of other Muslims. The Shaykh (**Rahimahu 'Llah**) cites as evidence the story of the People of the Ditch (This is something we'll discuss later on in the document Insha'Allāh). This fatwā from its apparent wording seems to have been issued by not only Shaykh Muhammad Ibn Ibrāhīm (**Rahimahu 'Llah**), but also by other senior scholars. This fatwā is actually much more severe than those which allow Martyrdom Operations, so I was wondering what the brother makes of this fatwā???

<sup>53</sup> The Shaykh's fatwā is contained in Majjallah Filistin (5/24-25), 11/14/1416.

<sup>54</sup> Refer to Kayfa Nu'aaliy Waaqi'unaa al-Aleem Page 117.

<sup>55</sup> Refer to Majmu' Fatawa wa buhuth 3/185.

<sup>56</sup> Refer to the series of tapes of the Shaykh, *"Silsilah Al-Huda Wan-Nur"*, tape # 134. Beginning at the time span 23:24 or the Video can be downloaded from the following link: <http://www.youtube.com/watch?v=zbkDRfOe2bQ>

Note: Again refer back to footnote #26 on how we are aware that the Shaykh placed a condition that this can only be performed under the leadership of an Imām or a Khalīfah (This is something that will be refuted very shortly Insha'Allāh).

<sup>57</sup> Other such scholars who have been known to hold this opinion are: Shaykh ‘Abdullāh Ibn Qa'ūd (Member of the Permanent Committee for Islāmic Research and Fataawa in Saudi Arabia (Present)) & Shaykh ‘Abdul Qādir al-Arna'ūt (A leading Scholar of Hadīth of his Era (d.1425H)), but due to the fact that I wasn't able to find an exact reference for their opinions I've subsequently left out their names from the list.

**he would be able to kill him, and which would lead to his demise, which was that he should take an arrow from his quiver etc.**<sup>58</sup>

Shaikhul-Islām (Ibn Taymiyyah) said, "Because this was a *Jihād* in Allāh's cause, which caused a whole nation to truly believe, and he did not really lose anything, since although he died he would have to die anyway, sooner or later."

**But as for what some people do regarding activities of suicide, tying explosives to themselves and then approaching Unbelievers and detonating them amongst them, then this is a case of suicide and Allāh's refuge is sought. So whoever commits suicide then he will be consigned eternally to Hell-Fire, remaining there forever, as occurs in the *Hadīth* of the Prophet, *sallallāhu alaihi wa sallam*. (i.e., his, *sallallāhu alaihi wa sallam*, saying, "and whoever kills himself with an iron weapon, then the iron weapon will remain in his hand, and he will continuously stab himself in his belly with it in the Fire of Hell eternally, forever and ever." Reported by al-Bukhaaree, no. 5778 and Muslim, no. 109, in the Book of *Eemaan*.)**

Because this person has killed himself and has not benefited Islām. So if he kills himself along with ten, or a hundred, or two hundred other people, then Islām will not benefit by that, since the people will not accept Islām, contrary to the story of the boy. Rather it will probably just make the enemy more determined, and this action will provoke malice and bitterness in his heart to such an extent that he may seek to wreak havoc upon the Muslims.<sup>59</sup>

This is what is found from the practice of the Jews with the people of Palestine so when one of the Palestinian blows himself up and kills six or seven people, then in retaliation

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<sup>58</sup> This is the principle that we mentioned earlier in footnote #34, which is the permissibility of a Muslim/Muslims sacrificing their life/lives in order to benefit Islām and Muslims or repel a harm from Islām and Muslims (This Principle has been derived by the scholars from the *hadīth* mentioning the story of the People of the Ditch, again this is something we'll discuss in further detail later on Insha'Allāh). With regards to Shaykh Ibn 'Uthaymīn (Rahimahu 'Llah)'s *fatwā* then we see it as an incorrect *Ijtihād* from him due to the fact that he has failed to identify the obvious benefits of such operations which we've mentioned earlier and which even the enemies of Allāh testify to. Due to this the Shaykh (Rahimahu 'Llah) has incorrectly ruled that such a person is killing themselves and NOT benefitting Islām and the Muslims and thus committing suicide.

<sup>59</sup> We are very surprised indeed that the Shaykh (Rahimahu 'Llah) doesn't see an operation which results in up to 200 Israelis being killed as not benefiting Islām and the Muslims or repelling a similar harm from Islām and the Muslims especially as those being killed would all have received military training as part of their obligatory service with The Israel Defence Forces (IDF) and because of this they would all have the ability of killing many Muslims each and if we were to say that each of these 200 had the ability of killing 10 Muslims each if they were to remain alive then by actually killing them you have potentially preserved the lives of 2000 Muslims, so how is this not benefiting Islām and the Muslims or repelling a similar harm from Islām and the Muslims??? This is where we see that the Shaykh has erred in his assessment of the reality and thus arrived to an incorrect verdict.

they take sixty or more. So this does not produce any benefit for the Muslims, and does not benefit those amongst whose ranks explosives are detonated.<sup>60</sup>

So what we hold is that those people who perform these suicide (bombings) have wrongfully committed suicide, and that this necessitates entry into Hell-Fire, and Allāh's refuge is sought and that this person is not a martyr (*shaheed*). However if a

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<sup>60</sup> Again we are very surprised the Shaykh (Rahimahu 'Llah) has said this given that the only reason why the Kuffār attack us in the first place is because of our religion as Allāh (Subhanahu wa ta'ala) says: *“And they will never cease fighting you until they turn you back from your religion (Islāmic Monotheism) if they can”* [Sūrah al-Baqarah 2:217] Imām Ibn Kathīr (Rahimahu 'Llah) commented on this verse by saying: *“So, they will go on fighting you with unrelenting viciousness.”* [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]. An example of how the Jews have killed many Muslims and expelled us from our land can be seen from the following map of how Palestine has Shrunk over the years: <http://www.palestine-horizon.com/resources/pal-map-1.jpg> Now was this loss of life and land a result of the Palestinians initiating attacks against the Israelis only for the Israelis to retaliate with force by killing many Palestinians and seizing their land as stated by the Shaykh (Rahimahu 'Llah)??? Or does the answer lie in the following Hadīth with its explanation from Imām Ibn Al-Nahhās (Rahimahu 'Llah)???

“Narrated ‘Abdullāh Ibn ‘Umar (*Radiya 'Llahu 'anhu*), ‘I heard the Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*) saying, ‘If you trade in ‘Īna (riba), and follow the tails of cows, and became content with being farmers, and ignored Jihād, Allāh will impose on you a humiliation that would not be taken away until you go back to your religion.’ [Refer to Sunan Abū Dāwūd Hadīth #3462 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*), Sahīh Al-Jāmi' Hadīth #688, Ahmad Hadīth #4825 & Abū Umayyah at-Tarsoosī in "Musnad Ibn ‘Umar" Hadīth #22. The Hadīth in Sunan Abū Dāwūd has a weak chain, but the Hadīth in Musnad Imām Ahmad which is narrated on the authority of ‘Atā (*Radiya 'Llahu 'anhu*) is Sahīh.]

The meaning of the Hadīth is that if people ignore Jihād because of their involvement in agriculture and similar affairs, Allāh Almighty will unleash upon them their enemies which would bring them humiliation which cannot be eliminated unless they go back to what is a duty upon them to start with and that is Jihād against the non-believers, and being harsh and rough on them, and establishing religion to give Islām and its followers victory and to raise the word of Allāh high and to humiliate disbelief and its followers. This Hadīth shows that leaving Jihād is leaving Islām because the Messenger of Allāh said: “until you go back to your religion.”

Abū Bakr (*Radiya 'Llahu 'anhu*), states that, “If any people stop Jihād, Allāh will cover them all with punishment.” [At-Tabarī]

Ibn Asākir (Rahimahu 'Llah) narrates that when Abū Bakr (*Radiya 'Llahu 'anhu*), became the Khalīfah he stood on the pulpit and among what he said was, ‘If people do not practice Jihād, Allāh will inflict them with poverty.’” [End Quote Imām Ibn Al-Nahhās (Rahimahu 'Llah)].

person has done this based upon misinterpretation, thinking that it is permissible, then we hope that he will be saved from sin, but as for martyrdom being written for him, then no, since he has not taken the path of martyrdom. **But whoever performs *Ijtihād* and errs will receive a single reward (if he is a person qualified to make *Ijtihād*).**"<sup>6162</sup>  
[END QUOTE Shaykh Ibn 'Uthaymīn (Rahimahu 'Llah)]

The brother continues by writing:

***"Hence, Shaykh Abdul-Muhsin al-Abbad, the author of *With which Intellect and Religion Can Suicide Bombings and Destruction be Considered Jihād?!*, feels no imperative to judge suicide bombings on a case-by-case basis: as far as he is concerned, suicide can never be permissible in any application or intention."***  
[End Quote Ben Ādam]

This shallow understanding has already been refuted earlier on in this document but let's just recap in case we've all forgotten. First let's remind each other what Shaykh Al-Albānī (Rahimahu 'Llah) had to say:

*Questioner: "In modern warfare there is something called, 'Commandos' or 'Suicide groups'"*

Shaykh: "Yes"

*Questioner: "There could be enemy forces that cause harm to the Muslims...Therefore they setup a 'Commando' or 'Suicide group' that place bombs, and they blow up the enemy tanks, what is the ruling on this and is it Suicide?"*

Shaykh: **No, suicide is when you kill yourself to get rid of your terrible life. But what you are asking about is not suicide - In fact it is Jihād in the way of Allāh...**<sup>63</sup>

You must take note here – That this must not be done out of your own accord – This should be done by the order of the army general.

...If the general is able to sacrifice this soldier, and he sees that this action will kill many of the disbelievers – Then the final word is to him and you must obey him. Even if you don't want to, you must obey the order...."

*Questioner: "There is no harm?"*

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<sup>61</sup> So look how at the end of his fatwā he concedes that this is not a clear-cut issue either way and how there is room for *Ijtihād* and a difference of opinion in which a person will receive a single reward for an incorrect *Ijtihād*. His fatwā is worded in such a way that is similar to those scholars who hold the *Niqāb* (Face-Veil) to be *Wājib* (Obligatory) in which they would say to those who don't adhere to such a ruling as being wrong, sinful and displeasing Allāh, but at the end they'd need to concede that it is an issue in which there is room for difference of opinion and in which neither side should be blamed for holding their opinion.

<sup>62</sup> Refer to the Shaykh's explanation of *Riyāḍus-Sālihīn* (1/165-166).

<sup>63</sup> Please refer back to Footnote #22.

Shaykh: "No harm because we don't call this 'suicide'. Suicide is one of biggest forbidden actions in Islām. No one commits it except that they are angry with their Lord, denying Allāh's fate for him. We seek refuge in Allāh!"<sup>64</sup>

But the soldier he is similar to the 'Salaf' that used to attack a large group of disbelievers with nothing but his sword until death meets him. And he is patient and firm because he believes that he is looking for Jannah."<sup>65</sup>

There is a great difference between who dies in this Jihādi way, and who commits suicide to rid himself of his life."<sup>66</sup>

Or if a person does it out of his own accord because this goes under throwing oneself in destruction. If the army general knows the battlefield and its reality, and all the affecting factors. Then this is something encouraged."<sup>67</sup> [End Quote Shaykh Al-Albānī (Rahimahu 'Llah)]

Also we have the statement of Ibn Kathīr (Rahimahu 'Llah) who said: "And included in the fleet were six hundred leading heroic fighters [Mujāhidīn], so they died, all of them, till the least of them – may Allāh have mercy on them; because when they were surrounded from all corners, they realized that they would either drown or be killed (by the Crusaders). So, they made holes in the sides of the ship and caused it to sink. Thus, the Crusaders were not able to seize anything from it of its provisions or weapons. The Muslims became extremely sad at this loss, so to Allāh we belong, and to Him we will return."<sup>68</sup> [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]

Even the principal that was used by Shaykh Ibn 'Uthaymīn (Rahimahu 'Llah) refutes this when he said: "Fourthly: That it is permissible for a person to expose himself to danger for a matter of general benefit to the Muslims, because the boy indicated to the king the way in which he would be able to kill him, and which would lead to his demise, which was that he should take an arrow from his quiver etc."<sup>69</sup> [End Quote Shaykh Ibn 'Uthaymīn (Rahimahu 'Llah)]

Finally the brother finishes off the chapter by saying:

"Shaykh al-Albānī is the most notable exception amongst the orthodox Sunni scholars to have permitted so-called martyrdom operations under certain circumstances and prerequisites. However, because those prerequisites are absent - most notably, a single temporal Islāmic authority or *Khalafa* over all the Muslims who can way up the military merits of such an act and exploit its potential benefits - Albānī also held suicide bombing to be *Harām* in this day and age.

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<sup>64</sup> Please refer back to Footnote #23.

<sup>65</sup> Please refer back to Footnote #24.

<sup>66</sup> Please refer back to Footnote #25.

<sup>67</sup> Please refer back to Footnote #26.

<sup>68</sup> Please refer back to Footnote #34.

<sup>69</sup> Please refer back to Footnote #58.



“We say suicide operations, now, in the present times, all of them are without legislation and all of them are forbidden. It could be the person who commits it could fall into the category of those who remain in Hellfire forever, or it could be that he does not remain in the Hellfire forever ... We know how fighting was in the past, with swords, spears (and the like). And this fighting, in those days would resemble (an act of) suicide. For example, when you get one soldier facing several soldiers from the enemy army of idolaters and he attacks them from the right and the left... and there is little chance of him surviving this. We say about this, that in one way it is allowed and in another it is not allowed... if the **Islāmic Ruler** or the **Caliph** of the Muslims permits. Because, the leader of the Muslims has to take into account the welfare of his people. The *Khalifa* of the Muslims should try to understand the situation as best of possible. He would understand when it is required for one hundred Muslim soldiers to fight one thousand of the polytheists ... and less than that and more than that and he calculates how many of them will perish, i.e. tens of them will die etc., but he will know the end result will be victory for the Muslims.”

In other words, not only did Shaykh al-Albānī agree with other Sunni scholars on the prohibition of suicide bombings, he also considered apparently suicidal acts as evidenced in the *ahadīth* to be impermissible unless specifically sanctioned by the ruler of all Muslims. Thus, although Albānī did not hold martyrdom operations to be **Harām** in absolute terms, he did hold them **Harām** in *relative* terms.” [End Quote Ben Ādam]

So the brother starts off by falsely claiming that Shaykh al-Albānī is the only real notable scholar to disagree with the ‘so-called’ consensus of prohibition on the matter and even though he doesn’t agree it to be **harām** in absolute terms he views it to be **harām** in relative terms due to there being no Imām or Khalīfah for all of the Muslims, so in reality what the brother is trying to suggest is that in today’s age there does actually exist a consensus of prohibition on this issue. As mentioned earlier while discussing this section this notion is totally false because there are several scholars who hold such Operations to be permissible and whose names the brother has concealed even though many of these scholars appear on the so-called ‘Salafi’ recommended scholars list<sup>70</sup> (we are convinced that he knows that they hold this opinion and has thus intentionally left them out to try and dupe the reader into falsely thinking that there is a consensus on this issue).

With regards to this above mentioned fatwā of Shaykh al-Albānī (**Rahimahu 'Llah**) it seems apparent that the Shaykh (**Rahimahu 'Llah**) has placed a condition that in order for such operations to be permissible they must be done under the leadership or command of an Imām or Khalīfah who rules over all the Muslims. This is made even clearer by the brother’s relating footnote on the matter where he states “*It was due to the same consideration - the absence of the Khilafa - that al-Albānī also held that obligatory (i.e. Fard ‘Ayn) jihād does not exist today and those who declare it or claim to wage it do so without legitimate Islāmic authority.*”

The presence of an Imām or Khalīfah who rules over all the Muslims being a condition for the performance of such operations or in order to perform Jihād is actually a false one which opposes the Qur’ān, Sunnah and consensus of the scholars. This also applies for the saying

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<sup>70</sup> Please refer back to Footnote #51.

that Jihād is only Fard ‘Ayn (An Individual Obligation) <sup>71</sup> when there is an Imām or a Khalīfah for all the Muslims.

With regards to the false condition that there must be an Imām or a Khalīfah for all the Muslims for the performance of such operations or in order to perform Jihād then this is refuted by the following Āyah in the Qur’ān accompanied with its correct Tafṣīr:

فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسَكَ وَحَرِّضِ الْمُؤْمِنِينَ عَسَى اللَّهُ أَنْ يَكُفَّ بَأْسَ  
الَّذِينَ كَفَرُوا وَاللَّهُ أَشَدُّ بَأْسًا وَأَشَدُّ تَنْكِيلًا

*“Then fight in the cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers (to fight along with you), it may be that Allāh will restrain the evil might of the disbelievers. And Allāh is Stronger in might and Stronger in punishing”<sup>72</sup>*

Imām Ibn Kathīr (**Rahimahu ‘Llah**) explained this verse under the heading “**Allāh Commands His Messenger to Perform Jihād**” and said the following:

Allāh commands His servant and Messenger, Muhammad , to himself fight in Jihād and not to be concerned about those who do not join Jihād. Hence Allāh's statement,

[لَا تُكَلَّفُ إِلَّا نَفْسَكَ]

(you are not tasked (held responsible except for yourself,) Ibn Abī Hātim recorded that Abū Ishāq said, "I asked Al-Bara bin `Azib about a man who meets a hundred enemies and still fights them, would he be one of those referred to in Allāh's statement,

[وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ]

(And do not throw yourselves into destruction (by not spending your wealth in the cause of Allāh)) He said, `Allāh said to His Prophet,

[فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسَكَ وَحَرِّضِ الْمُؤْمِنِينَ]

(Then fight in the cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers (to fight along with you))." Imām Ahmad recorded Sulayman bin Dāwūd saying that Abū Bakr bin `Ayyash said that Abū Ishāq said, "I asked Al-Barā', 'If a man attacks the lines of the idolators, would he be throwing himself to destruction' He said, 'No because Allāh has sent His Messenger and commanded him,

<sup>71</sup> It is the Fard that is a compulsory duty on every single Muslim to perform like praying, fasting etc.

<sup>72</sup> Sūrah An-Nisā 4:84.

[فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسَكَ]

(Then fight in the cause of Allāh, you are not tasked (held responsible) except for yourself,) That Āyah is about spending [in Allāh's cause].<sup>73</sup> [End Quote Imām Ibn Kathīr (**Rahimahu 'Llah**)]

So it is apparent from the above that when fighting becomes an Individual Obligation (Fard 'Ayn)<sup>74</sup> then it has to be done even if means fighting alone and even if there isn't an Imām or Khalīfah for all the Muslims. This is further highlighted by Imām al-Qurtubī (**Rahimahu 'Llah**) in his Tafsīr of the same Āyah where he says:

“It is a command to the Prophet to go after the hypocrites and for exertion in fighting in Allāh's Path, even if no one helps him in this.” He (**Rahimahu 'Llah**) also said, “Every Muslim must fight, even if it is on his own.”<sup>75</sup> [End Quote Imām al-Qurtubī (**Rahimahu 'Llah**)]

Also in our current times there exists no Imām or Khalīfah for all the Muslims, but despite this the Prophet (**Salla 'Llahu 'alayhi wa sallam**) informed us in numerous authentic Ahādīth that Jihād will remain continuous until the day of Judgement as can be seen in the follows Ahādīth:

From Jābir (**Radiya 'Llahu 'anhu**), who said, “The Messenger of Allāh (**Salla 'Llahu 'alayhi wa sallam**), said, ‘There will never cease to exist a party from my Ummah, fighting upon the Truth, manifest until the Day of Resurrection.’ He said, ‘So ‘Isā Ibn Maryam (‘Alayhi Salām) will descend, so their leader will say, ‘Come and lead us in prayer.’ He will say, ‘No, you are to one another leaders, an honour for this Ummah from Allāh.’”<sup>76</sup>

From ‘Uqbah Ibn ‘Āmir (**Radiya 'Llahu 'anhu**) who said, “I heard the Messenger of Allāh, (**Salla 'Llahu 'alayhi wa sallam**) saying, ‘There will never cease to remain a faction from my Ummah fighting upon the command of Allāh, subjugating their enemies. They are not

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<sup>73</sup> The Tafsīr of this verse by Imām Ibn Kathīr (**Rahimahu 'Llah**) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=4&tid=11817>

<sup>74</sup> The Scholars have mentioned that Jihād becomes Fard 'Ayn under the following three circumstances: 1) If the Kuffār enter the land of the Muslims. 2) If the rows meet in battle and they begin to approach each other. 3) If the Imām calls a person or a people to march forward then they must march. Some scholars add a fourth situation and that is: 4) If the Kuffaar capture and imprison a group of Muslims. (We'll discuss all of this in further detail very shortly Insha'Allāh).

<sup>75</sup> Ahkām Al-Qur'ān 5/293.

<sup>76</sup> Refer to Sahīh Muslim Hadīth #395 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).



*harmd by those who oppose them, until the Hour arrives and they are upon that.”<sup>77</sup>*

From Jābir Ibn Samurah (*Radiya 'Llahu 'anhu*), who said, “The Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*) said, ‘This Religion will remain established; a group of the Muslims will fight upon it until the Hour is established.’”<sup>78</sup>

From Mu’āwiyah Ibn Abī Sufyān (*Radiya 'Llahu 'anhu*), who said, “The Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*), said, “Whoever Allāh desires good for, He grants him Fiqh in the Dīn. And there will always remain a group from the Muslims fighting upon the Truth, manifest against those who oppose them, until the Day of Resurrection.”<sup>79</sup>

From Jābir Ibn ‘Abdillāh (*Radiya 'Llahu 'anhu*), that he said, “I heard the Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*), say, ‘There will never cease to exist a Party from my Ummah fighting upon the Truth, manifest, until the Day of Resurrection.’”<sup>80</sup>

From ‘Imrān Ibn Husayn (*Radiya 'Llahu 'anhu*), in a *Marfū’* form, the statement of the Prophet (*Salla 'Llahu 'alayhi wa sallam*), “There will never cease to exist a Party from my Ummah fighting upon the Truth, manifest against those who oppose them, until the last of them fight Al-Masīh Ad-Dajjāl.”<sup>81</sup>

From Salāmah Ibn Nufayl Al-Kindī (*Radiya 'Llahu 'anhu*) who said, “I was sitting with the Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*), then a man said, ‘O Messenger of Allāh! The people have insulted the horses (by not using them to fight), and laid down the weapons, and they said, ‘There is no Jihād. The war has laid down its burden.’ So the Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*), turned his face towards his and said, ‘They have lied! Now the time for fighting has arrived! And there will never cease to be a nation from my Ummah, fighting upon the Truth. And Allāh will deviate the hearts of some people for them, and provide for them through them, until the Hour is established and until the Promise of Allāh comes. Good shall remain tied in the forelock of horses until the Day of Resurrection. And it is revealed to me that I will be taken (in death) and

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<sup>77</sup> Refer to Sahīh Muslim Hadīth #4957 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>78</sup> Refer to Sahīh Muslim Hadīth #4953 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>79</sup> Refer to Sahīh Muslim Hadīth #4956 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>80</sup> Refer to Sahīh Muslim Hadīth #4954 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>81</sup> Refer to Sunan Abū Dāwūd Hadīth #2484 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*), and in *Mustadrak Al-Hākim, Kitāb Al-Jihād* 2/71; *Kitāb Al-Fitan* 4/450. This narration was declared “*Sahīh*”, by Ibn Jarīr At-Tabarī in “*Musnad ‘Umar*” 2/825, Al-Albānī in “*Sahīh Abī Dāwūd*” Hadīth #2484.

*not remain, and you will follow up after me as groups, some striking the necks of others. And the foundation of the state of the Believers is in Ash-Shām.*”<sup>82</sup>

So from the above mentioned Ahādīth it is clear that despite us living in a time where there is no Imām or Khalīfah for all the Muslims there is currently true Jihād taking place right now as we speak and it will continue to do so until the Day of Judgement whether there is an Imām or Khalīfah for all the Muslims or not!!!

Also there is the Story of Abū Basīr (*Radiya 'Llahu 'anhu*) which is narrated in Sahīh Al-Bukhārī by Al-Miswar bin Makhrama and Marwān (*Radiya 'Llahu 'anhum*)

“When the Prophet returned to Medina, Abū Basīr, a new Muslim convert from Quraysh came to him. The Infidels sent in his pursuit two men who said (to the Prophet), *“Abide by the promise you gave us.”* So, the Prophet handed him over to them. They took him out (of the City) till they reached Dhul-Hulaifa where they dismounted to eat some dates they had with them. Abū Basīr said to one of them, *“By Allāh, O so-and-so, I see you have a fine sword.”* The other drew it out (of the scabbard) and said, *“By Allāh, it is very fine and I have tried it many times.”* Abū Basīr said, *“Let me have a look at it.”* When the other gave it to him, he hit him with it till he died, and his companion ran away till he came to Medina and entered the Mosque running. When Allāh's Apostle saw him he said, *“This man appears to have been frightened.”* When he reached the Prophet he said, *“My companion has been murdered and I would have been murdered too.”* Abū Basīr came and said, *“O Allāh's Apostle, by Allāh, Allāh has made you fulfil your obligations by your returning me to them (i.e. the Infidels), but Allāh has saved me from them.”* The Prophet said, *“Woe to his mother! What excellent war kindler he would be, should he only have supporters.”* When Abū Basīr heard that he understood that the Prophet would return him to them again, so he set off till he reached the seashore. Abū Jandal bin Suhail got himself released from them (i.e. infidels) and joined Abū Basīr. So, whenever a man from Quraysh embraced Islām he would follow Abū Basīr till they formed a strong group. **By Allāh, whenever they heard about a caravan of**

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<sup>82</sup> Refer to Sunan an-Nasā’ī Hadīth #3591 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, Dec 2007*). Also narrated by Imām Ahmad in his “*Musnad*”. This Hadīth was narrated with numerous phrasings, all of which are the same except for a few words. Some of these narrations were declared “*Sahīh*” by Al-Albānī in “*Sahīh An-Nasā’ī*”, Hadīth #3563, and “*Sahīh upon the conditions of Muslim*” in “*Silsilat Al-Ahādīth As-Sahīhah*”, Vol. 4/571.

Note: We have purposely left out the Hadīth: Narrated from Anas bin Mālik (*Radiya 'Llahu 'anhu*) that the Prophet (*Salla 'Llahu 'alayhi wa sallam*) said: *“Jihād is continuous from the time Allāh sent me until the last of my Ummah fights the Dajjāl, neither the corruption of the corrupt one nor the justice of the just will invalidate it.”* [Refer to Sunan Abū Dāwūd Hadīth #2532 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*)] due to it being a Weak Hadīth which the “Fake-Salafīs/Neo-Murji’āh/Madkhalīs” rejoice in its weakness. They think that because this Hadīth is weak they have disproved the concept that Jihād is continuous until the Day of Judgement. What they fail to realise is that this Hadīth is not the only one on this issue and that the Ahādīth mentioning Jihād being continuous until the Day of Judgement are actually Mutawātir (Ahādīth either in wording or meaning which has been narrated by such a large number of people that they cannot be expected to agree upon a lie all together). Again this just shows how foolish these people are!!!

**Quraysh heading towards Shām, they stopped it and attacked and killed them (i.e. infidels) and took their properties.** The people of Quraysh sent a message to the Prophet requesting him for the Sake of Allāh and Kith and kin to send for (i.e. Abū Basīr and his companions) promising that whoever (amongst them) came to the Prophet would be secure.”<sup>83</sup>

What becomes apparent from the above mentioned Hadīth is that Abū Basīr (*Radiya 'Llahu 'anhu*) started fighting against the Kuffār all by himself. He (*Radiya 'Llahu 'anhu*) wasn't fighting alongside or under the Imām of all the Muslims who was of course Muhammad (*Salla 'Llahu 'alayhi wa sallam*) because he (*Salla 'Llahu 'alayhi wa sallam*) had a peace treaty with the Kuffār of Quraysh while Abū Basīr (*Radiya 'Llahu 'anhu*) was fighting them by himself after which he was joined by other companions who fought alongside him. Finally the Prophet (*Salla 'Llahu 'alayhi wa sallam*) didn't rebuke or censure Abū Basīr (*Radiya 'Llahu 'anhu*) for his actions, rather he (*Salla 'Llahu 'alayhi wa sallam*) remained silent and tacitly approved of what Abū Basīr (*Radiya 'Llahu 'anhu*) was doing. Hence this whole incident becomes evidence from the Sunnah in this case. This is why Imām 'Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh (the grandson of Imām Muhammad Ibn 'Abdul Wahhāb) (*Rahimahu 'Llah*) used the above mentioned story of Abū Basīr (*Radiya 'Llahu 'anhu*) to prove that the condition of an Imām or Khalīfah for all the Muslims in order to perform Jihād is actually a false and Innovated one. He (*Rahimahu 'Llah*) said in response to some objections of Ibn Nabhān:

“It is to be stated: By what book and by what Āyah does there contain an evidence that Jihād is not obligatory except with an Imām that is followed?! **This is from the inventions in the Dīn and a straying from the path of the believers**<sup>84</sup>. The evidences that invalidate this opinion are too well known to mention. From them, there is the general order to wage Jihād and encouragement towards it and the threat of punishment for abandoning it. The Most High said: {**And if Allāh did not check one set of people by means of another, the earth would indeed be full of mischief. But Allāh is full of Bounty to all that exists.**}<sup>85</sup> And He said in Sūrah al-Hajj: {**For had it not been that Allāh checks one set of people by means of another, the places of worship much would surely have been pulled down.**}<sup>86</sup> **Everyone who establishes Jihād in the path of Allāh has obeyed Allāh and fulfilled what Allāh has obligated and the Imām would not become the Imām except through Jihād not that there is no Jihād without an Imām. The truth is the exact opposite of what you have**

<sup>83</sup> Refer to Sahīh al-Bukhārī Hadīths #2731 & 2732 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*).

<sup>84</sup> Notice how the Imām (Rahimahu 'Llah) refuted Ibn Nabhān (An Extremist Sufi) on his false and innovated view that Jihād is not obligatory, i.e. It is only recommended without an Imām for all the Muslims. Also look at how he used such strong words as: “This is from the inventions in the Dīn and a straying from the path of the believers” and “How harmful ignorance is upon its people!” as well as “Refuge is sought with Allāh from opposing the truth with ignorance and falsehood!” If these are the words that the Imām (Rahimahu 'Llah) used for those who say that Jihād is not obligatory and merely recommended without an Imām for all the Muslims then one shudders to think what he would say to the “Fake-Salafīs/Neo-Murjī'āh/Madkhalīs” who say that Jihād is not permissible and is harām without an Imām for all the Muslims.

<sup>85</sup> Sūrah al-Baqarah 2:251.

<sup>86</sup> Sūrah al-Hajj 22:40.

**said oh man...**<sup>87,,</sup>

Until he ('Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh) said:

“The points of reflection and the evidences concerning the falsehood of what you have authored is Abundant in the Book and the Sunnah, in the biographies, narrations and statements of the People of Knowledge with proofs and narrations – they are almost not even hidden from an idiotic person because even he would know of the story of Abū Basīr when he came as a Muhājir and the Quraysh sought from the Messenger of Allāh (sallAllāhu ‘alayhi wa sallam) to return him to them according to the condition that was between them in the treaty of al-Hudaybiyyah so he departed from them, killed the two Mushriks that came in search of him. He headed to the seashore after he heard the Messenger of Allāh (sallAllāhu ‘alayhi wa sallam) say: *“Woe to his mother! What excellent war kindler he would be, should he only have supporters.”* Thereafter he attacked the caravans of the Quraysh when they came from Shām. He would seize (their wealth) and kill thereby he was independently waging war against them without the Messenger of Allāh (sallAllāhu ‘alayhi wa sallam) because they (the Quraysh) were in a treaty with him in the truce. So, did the Messenger of Allāh (sallAllāhu ‘alayhi wa sallam) say: *“You were mistaken in killing the Quraysh because you all were without an Imām?”* Far removed is Allāh from all imperfections and impurities! **How harmful ignorance is upon its people! Refuge is sought with Allāh from opposing the truth with ignorance and falsehood!**<sup>88</sup> [End Quote Imām 'Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh (**Rahimahu 'Llah**)]

Also scholars such as Imām Ibn Qudamāh Al-Maqdisī (**Rahimahu 'Llah**) commented on this issue of needing an Imām or Khalīfah for all the Muslims in order to wage Jihād by saying:

“The absence of an Imām does not postpone the Jihād, because much is lost in its postponement.”<sup>89</sup> [End Quote Imām Ibn Qudamāh Al-Maqdisī (**Rahimahu 'Llah**)]

So all the above mentioned evidences from the Qur’ān, Sunnah and the statements of the scholars from the Salaf prove that the presence of an Imām or Khalīfah who rules over all the Muslims being a condition for the performance of such operations or in order to perform Jihād is actually a false one and is in fact an innovation.

Also with regards to the saying that Jihād is only Fard ‘Ayn (An Individual Obligation) when there is an Imām or a Khalīfah for all the Muslims then this again is a false and innovative saying as we’ll prove **InshAllāh**.

The first thing that should be made clear is that Jihād against the kuffār is of two types, namely Jihād At-Talab (Offensive Jihād)<sup>90</sup> and Jihād Ad-Daf’ (Defensive Jihād)<sup>91</sup>.

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<sup>87</sup> Yes, the truth is the exact opposite of what you have said oh “Fake-Salafi/Neo-Murji/Madkhali”!!!

<sup>88</sup> Ad-Durrar as-Sanniyah 8/199-200.

<sup>89</sup> Al-Mughni 8/253.

<sup>90</sup> This is where the enemy are attacked in their own territory. Where the *Kuffār* are not gathering to fight the Muslims. The fighting becomes *Fard Kifāyah* (A communal Obligation) with the minimum requirement of appointing believers to guard borders,

With regards to Jihād At-Talab (Offensive Jihād) then there are numerous textual evidences proving this concept such as Allāh, the Most High's statement:

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ لِلَّهِ فَإِنْ انْتَهَوْا فَلَا عُدْوَانَ إِلَّا عَلَى الظَّالِمِينَ

*“And fight them until there is no more Fitnah (disbelief and worshipping of others along with Allāh) and the religion (all and every kind of worship) is for Allāh (Alone). But if they*

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and the sending of an army at least once a year to terrorize the enemies of Allāh. It is a duty of upon the Imām to assemble and send out an army unit into the land of war once or twice every year. Moreover, it is the responsibility of the Muslim population to assist him, and if he does not send an army he is in sin. [Hāshiyat Bin ‘Ābidīn 3/238] And the ‘Ulamā have mentioned that this type of jihād is for maintaining the payment of *Jizya*. The scholars of the principles of religion have also said: "Jihād is *Da'wah* with a force, and is obligatory to perform with all available capabilities, until there remains only Muslims or people who submit to Islām." [Hāshiyat Ash Shouruni and Ibn al Qāsim in Tahfa al Mahtaj ‘alā al Minhāj 9/213].

Note: This type of Jihād is done when there is an Islāmīc State or Khilafāh which rules by the Sharī’ah. The aim of this type of Jihād is to conquer the territories of Kufr and bring them under the rule of Islām. The entire Jihād that is taking place today is Jihād Ad-Daf’ (Defensive Jihād) which we’ll explain very shortly InshAllāh.

<sup>91</sup> This is expelling the *Kuffār* from our land, and it is *Fard ‘Ayn* (An Individual Obligation).

Note: The reason why we mention these two different types of Jihād is because a common deception employed by The “Fake-Salafis/Neo-Murjī’ah/Madkhalīs” is to conceal the differences between them. By doing this they are able to spread their lies and misconceptions by deceitfully mixing up the rulings of *Jihād At-Talab* and *Jihād Ad-Daf’*. As a result many ignorant Muslims have been mislead into holding misconceptions about Jihād and all because these “Fake-Salafis/Neo-Murjī’ah/Madkhalīs” themselves have followed the ways of the Hypocrites and have abandoned Jihād. One only needs to do a little bit of research and investigate the understanding of the scholars from the *Salaf* to see how they differentiated between the two types of Jihād. A chart highlighting the Most Important Differences between *Jihād At-Talab* and *Jihād Ad-Daf’* can be downloaded from the following link:

<http://www.archive.org/download/TheMostImportantDifferences/TheMostImportantDifferences.pdf>

One of the Chief Deceivers of our times with regards to this matter is The “Fake-Salafi/Neo-Murji/Madkhalī” scholar ‘Abdul-‘Azīz bin Rayyis Ar-Rayyis who writes many laughable books on Jihād, exposing either his sheer ignorance or his complete insincerity, an example of this is an article of his which goes under the title: “Postponing Jihād in times of Weakness” where he deceitfully mixes up the rulings of *Jihād At-Talab* and *Jihād Ad-Daf’* and shamefully opposes the understanding of the scholars from the *Salaf* on this issue who have clearly made a distinction between *Jihād At-Talab* and *Jihād Ad-Daf’*.



*cease, let there be no transgression except against Az-Zalimin (the polytheists and wrongdoers).’’<sup>92</sup>*

Similarly is His, the Most High’s statement:

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ فَإِنْ انْتَهَوْا فَإِنَّ اللَّهَ بِمَا يَعْمَلُونَ  
بَصِيرٌ

*“And fight them until there is no more Fitnah, and the religion (worship) will all be for Allāh alone. But if they cease, then certainly, Allāh is All-Seer of what they do.”<sup>93</sup>*

Also Allāh, the Most High says:

فَإِذَا انسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ وَأَحْصُرُوهُمْ  
وَأَقْعُدُوا لَهُمْ كُلَّ مَرْصَدٍ فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوْا الزَّكَاةَ فَخَلُّوا سَبِيلَهُمْ إِنَّ اللَّهَ  
غَفُورٌ رَحِيمٌ

*“So when the Sacred Months have passed, then kill the Mushrikin wherever you find them, and capture them and besiege them, and lie in wait for them in each and every ambush. But if they repent and perform the Salah, and give the Zakah, then leave their way free. Verily, Allāh is Oft-Forgiving, Most Merciful.”<sup>94</sup>*

And He, the Most High says:

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا  
يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ

*“Fight against those who believe not in Allāh, nor in the Last Day, nor forbid that which has been forbidden by Allāh and His Messenger, and those who acknowledge not the*

<sup>92</sup> Sūrah al-Baqarah 2:193.

<sup>93</sup> Sūrah al-Anfāl 8:39.

**Note:** Regarding the two similar above mentioned Āyahs the following has been said: Ibn Jarīr (Rahimahu 'Llah) said: “So fight them until there is no more shirk, and none is worshipped except Allāh alone with no partner or associate, and trials and calamities, which are disbelief and polytheism, are lifted from the slaves of Allāh on earth, and religion is all for Allāh alone, and so that obedience and worship will be devoted to Him alone and none else.” Also Ibn Kathīr (Rahimahu 'Llah) said: “Allāh commands us to fight the kuffār so that there will be no fitnah, i.e., shirk, and the religion will all be for Allāh alone, i.e., the religion of Allāh will prevail over all other religions.”

<sup>94</sup> Sūrah At-Tawbah 9:5.

*religion of truth among the People of the Scripture, until they pay the Jizyah with willing submission, and feel themselves subdued.”<sup>95</sup>*

Also Allāh, the Most High says:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِنَ الْكُفَّارِ وَلِيَجِدُوا فِيكُمْ غِلْظَةً وَاعْلَمُوا أَنَّ اللَّهَ  
مَعَ الْمُتَّقِينَ

*“O you who believe! Fight those of the disbelievers who are close to you, and let them find harshness in you; and know that Allāh is with those who have Taqwa.”<sup>96</sup>*

With regards to evidence from the Sunnah then The Prophet (Salla 'Llahu 'alayhi wa sallam) said: *"I have been commanded (by Allāh) to fight the people until they testify that there is no god but Allāh and that Muhammad is the Messenger of Allāh, and they establish regular prayer and pay zakāh, then if they do that, then they save their lives and property from me except for Islāmic laws and then their reckoning will be with Allāh."*<sup>97</sup>

He (Salla 'Llahu 'alayhi wa sallam) also said: *“I have been sent just before the Hour with the sword, so that Allāh will be worshipped alone with no partner or associate.”<sup>98</sup>*

Also there is the Hadīth which is narrated from Buraydah (Radiya 'Llahu 'anhu) who said: When the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) appointed a commander to lead an army or a raiding party, he would advise him to fear Allāh with regard to himself and the Muslims with him, then he said: *“Fight in the name of Allāh and for the sake of Allāh. Fight those who disbelieve in Allāh, fight but do not steal from the war booty (before it is shared out), betray, or mutilate. Do not kill children. If you meet your enemy of the mushrikīn, call them to three things, and whichever one of them they respond to, accept that from them and leave them alone. Then call them to Islām and if they respond, accept that from them and leave them alone. If they refuse but they pay the jizyah, then they have responded to you, so accept that from them and leave them alone. If they refuse then seek the help of Allāh and fight them...”*<sup>99</sup>

This is something that continued during the time of the Khulafā Ar-Rāshidūn (Radiya 'Llahu 'anhum) as can be seen from the following narration which was narrated by that Jubayr Ibn Hayyah (Radiya 'Llahu 'anhu) who said: “Umar sent people to all the regions to fight the

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<sup>95</sup> Sūrah At-Tawbah 9:29.

<sup>96</sup> Sūrah At-Tawbah 9:123.

<sup>97</sup> Refer to Sahīh al-Bukhārī Hadīths #25 & 2946 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition) and Sahīh Muslim Hadīths # 125, 126, 127, 128 & 129 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007). This Hadīth has been narrated by so many people that it has been classed as Mutawātir.

<sup>98</sup> Refer to Musnad Imām Ahmad Hadīth #4869; the Hadīth has been classified as Sahīh by Shaykh al-Albānī in Sahīh al-Jāmi' Hadīth #2831.

<sup>99</sup> Refer to Sahīh Muslim Hadīths # 4522, 4523 & 4524 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007).

mushrikīn... so ‘Umar recruited us and appointed al-Nu’mān Ibn Muqarrin to lead us. When we were in the land of the enemy, the representative of Chosroes came out to us with forty thousand troops. An interpreter stood up and said: “Let one of you speak to me.” Al-Mughīrah said: “Ask whatever you want.” He asked, “Who are you?” He (al-Mughīrah) said: “We are some people from among the Arabs. We used to lead a harsh and miserable life, sucking on animal skins and date stones because of hunger, wearing clothes made of camel and goat hair, worshipping trees and rocks. While we were in this state, the Lord of the heavens and the earth, exalted be His name and glorified be His greatness, sent to us a Prophet from amongst ourselves, whose father and mother we know. Our Prophet, the Messenger of our Lord, (*Salla 'Llahu 'alayhi wa sallam*), commanded us to fight you until you worship Allāh alone or pay the jizyah. Our Prophet (*Salla 'Llahu 'alayhi wa sallam*) told us the message from our Lord, that whoever among us is killed will go to Paradise to enjoy delights such as no one has ever seen, and whoever among us is left will become your master.”<sup>100</sup>

With regards to the Ruling of Jihād At-Talab (Offensive Jihād) then it is Fard Kifāyah<sup>101</sup> (A Communal Obligation) as stated by Imām Ibn Qudamāh Al-Maqdisī (**Rahimahu 'Llah**) who said the following:

لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولَى الضَّرَرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَكُلًّا وَعَدَ اللَّهُ الْحُسْنَى وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا دَرَجَاتٍ مِنْهُ وَمَغْفِرَةً وَرَحْمَةً وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

*“Not equal are those of the believers who sit (at home), except those who are disabled, and those who strive hard and fight in the cause of Allāh with their wealth and their lives. Allāh has preferred in grades those who strive hard and fight with their wealth and their lives above those who sit (at home). Unto each, Allāh has promised good (Paradise), but Allāh has preferred those who strive hard and fight, above those who sit (at home), by a huge reward. Degrees of (higher) grades from Him, and forgiveness and mercy. And Allāh is Ever Oft-Forgiving, Most Merciful.”*<sup>102</sup>

And this indicates that those who sit are not sinful as long as *Jihād* was performed by other than them. And Allāh, the Most High, said:

<sup>100</sup> Refer to Sahīh al-Bukhārī Hadīth # 3159 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*).

<sup>101</sup> It is the *Fard Kifāyah*, that if performed by some, the obligation falls from the rest. The meaning of *Fard Kifāyah*, is that if there are not enough people that respond to it, then all the people are in sin. If a sufficient amount of people respond, the obligation falls from the rest. The call for it in the beginning is like the call for establishing a *Fard ‘Ayn*, but it differs in that a *Fard Kifāyah* is absolved by the performance of some of the people. But a *Fard ‘Ayn* is not absolved by any number of people performing it.

<sup>102</sup> Sūrah An-Nisā 4:95-96.



وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

*“And it is not (proper) for the believers to go out (to fight - Jihād) all together. Of every troop of them, a party only should go forth, that they may get instructions in religion, and that they may warn their people when they return to them, so that they may beware (of evil).”*<sup>103</sup>

And because the Messenger of Allāh (*Salla 'Llahu 'alayhi wa sallam*) used to send platoons out, while he and the remaining companions would stay behind.”<sup>104</sup> [End Quote Imām Ibn Qudamāh Al-Maqdisī (*Rahimahu 'Llah*)]<sup>105</sup>

Then Imām Ibn Qudamāh Al-Maqdisī (*Rahimahu 'Llah*) mentions the situations when Jihād becomes Fard ‘Ayn (An Individual Obligation)<sup>106</sup> by saying:

“And the *Jihād* is specified in three situations:

**The First:** When the two groups meet and both sides face one another. It is forbidden for those present to flee and that situation is specified to him, due to Allāh, the Most High’s statement:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا لَقِيتُمْ فِئَةً فَاثْبُتُوا وَاذْكُرُوا اللَّهَ كَثِيرًا لَّعَلَّكُمْ تُفْلِحُونَ وَأَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَزْعَمُوا فَتَفْشَلُوا وَتَذْهَبَ رِيحُكُمْ وَاصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ

*“O you who believe! When you meet (an enemy) force, take a firm stand against them and remember Allāh much, so that you may be successful. And obey Allāh and His Messenger, and do not dispute (with one another) lest you lose courage and your strength departs, and be patient. Surely, Allāh is with the patients.”*<sup>107</sup>

And His, the Most High’s, statement:

<sup>103</sup> Sūrah At-Tawbah 9:122.

<sup>104</sup> Al-Mughnī Wash- Sharh’ Al-Kabīr, Vol. 10/364 – 365.

<sup>105</sup> Note: Imām Ibn Qudamāh Al-Maqdisī (*Rahimahu 'Llah*) lists nine conditions for *Jihād* which is *Fard Kifāyah*, and they are: 1) Islām 2) Maturity 3) Soundness of mind 4) Freedom 5) Being male 6) Being able-bodied 7) The affordability 8) The permission of parents, and 9) The permission of the owed debtor. See Al-Mughnī Wash-Sharh’ Al-Kabīr, Vol. 10/381.

<sup>106</sup> It is the Fard that is a compulsory duty on every single Muslim to perform like praying or fasting.

<sup>107</sup> Sūrah Al-Anfāl 8:45-46.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمُ الْاَدْبَارَ وَمَنْ يُؤَلِّهِمْ يَوْمَئِذٍ دُبْرَهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحَيِّزًا إِلَىٰ فِتْنَةٍ فَقَدْ بَاءَ بِغَضَبٍ مِّنَ اللّٰهِ وَمَأْوَاهُ جَهَنَّمُ وَبِئْسَ الْمَصِيرُ

***“O you who believe! When you meet those who disbelieve, in a battlefield, never turn your backs to them. And whoever turns his back to them on such a day -- unless it be a stratagem of war, or to retreat to a troop (of his own) -- he indeed has drawn upon himself wrath from Allāh. And his abode is Hell, and worst indeed is that destination!”***<sup>108</sup>

**The Second:** If the disbelievers enter a country then it is specified upon its people to fight them and repel them.<sup>109</sup>

**The Third:** If the *Imām* calls upon a people, it is upon them to go out with him, due to Allāh, the Most High's, statement:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا مَا لَكُمْ إِذَا قِيلَ لَكُمْ انْفِرُوا فِي سَبِيلِ اللّٰهِ اثَّاقَلْتُمْ إِلَى الْأَرْضِ أَرَضِيتُمْ بِالْحَيَاةِ الدُّنْيَا مِنَ الْآخِرَةِ فَمَا مَتَاعُ الْحَيَاةِ الدُّنْيَا فِي الْآخِرَةِ إِلَّا قَلِيلٌ إِلَّا تَنْفِرُوا يُعَذِّبَكُمْ عَذَابًا أَلِيمًا وَيَسْتَبْدِلْ قَوْمًا غَيْرَكُمْ وَلَا تَضُرُّوهُ شَيْئًا وَاللّٰهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ

***“O you who believe! What is the matter with you, that when you are asked to march forth***

<sup>108</sup> Sūrah Al-Anfāl 8:15-16.

Note: There is also a relevant hadīth on this issue narrated by Abū Hurayrah (*Radiya 'Llahu 'anhu*) and that is the Prophet (*Salla 'Llahu 'alayhi wa sallam*) said: “Avoid the seven (sins) that doom a person to Hell.” They said: “O Messenger of Allāh, what are they?” He said: “Associating others with Allāh (shirk), witchcraft, killing a soul whom Allāh has forbidden killing, except in cases required by law, consuming riba, consuming the orphan's wealth, running away from the battlefield, and slandering chaste and innocent believing women.” Refer to Sahīh al-Bukhārī Hadīth #2766 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*) & Sahīh Muslim Hadīth #262 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>109</sup> Note: The evidences for this situation are exactly the same ones for the first situation because the advancing of the disbelievers into the country of the Muslims is like the meeting of both marching groups and the confrontation of both ranks. In which case the evidences for the prohibition of fleeing the battlefield apply, i.e. Sūrah Al-Anfāl 8:45-46, Sūrah Al-Anfāl 8:15-16 and the hadīth Refer to Sahīh al-Bukhārī Hadīth #2766 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*) & Sahīh Muslim Hadīth #262 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

*in the cause of Allāh, you cling heavily to the earth Are you pleased with the life of this world rather than the Hereafter But little is the enjoyment of the life of this world compared to the Hereafter. If you march not forth, He will punish you with a painful torment and will replace you by another people; and you cannot harm Him at all, and Allāh is able to do all things.*"<sup>110</sup>

And the Prophet (Salla 'Llahu 'alayhi wa sallam) said, *'If you are called forth, then go forth.*'<sup>111</sup>,<sup>112</sup>[End Quote Imām Ibn Qudamāh Al-Maqdisī (Rahimahu 'Llah)]

<sup>110</sup> Sūrah At-Tawbah 9:38-39.

<sup>111</sup> Refer to Sahīh al-Bukhārī Hadīths #2783, #2825 & #3077 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*) and Sahīh Muslim Hadīths #4829, #4830 & #4831 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*).

<sup>112</sup> Al-Mughnī Wash-Sharh' Al-Kabīr, Vol. 10/365 – 366.

Note: Imām Ibn Qudamāh Al-Maqdisī (Rahimahu 'Llah) lists five conditions for *Jihād* which is *Fard* 'Ayn, and they are: 1) Islām 2) Maturity 3) Soundness of mind 4) Freedom 5) Being male. See Al-Mughnī Wash-Sharh' Al-Kabīr, Vol. 10/381.

Note: There are some scholars who add a fourth situation which is: If the Kuffaar capture and imprison a group of Muslims. And they cite as evidence:

وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا

*"And what is wrong with you that you fight not in the cause of Allāh, and for those weak, ill-treated and oppressed among men, women, and children, whose cry is: 'Our Lord! Rescue us from this town whose people are oppressors; and raise for us from You one who will protect, and raise for us from You one who will help.'"* [Sūrah An-Nisā 4:75] &

Narrated Abū Musa (Radiya 'Llahu 'anhu): The Prophet (Salla 'Llahu 'alayhi wa sallam) said, *"Free the captives, feed the hungry and pay a visit to the sick."* [Refer to Sahīh al-Bukhārī Hadīth #3046 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*)] &

Narrated Abū Musa (Radiya 'Llahu 'anhu): The Prophet (Salla 'Llahu 'alayhi wa sallam) said, *"Set the captives free, accept the invitation (to a wedding banquet), and visit the patients."* [Refer to Sahīh al-Bukhārī Hadīth #5174 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*)] &

Narrated Abū Musa Al-Ash'ari (Radiya 'Llahu 'anhu): The Prophet said (Salla 'Llahu 'alayhi wa sallam), *"Feed the hungry, visit the sick, and set free the captives."* [Refer to Sahīh al-Bukhārī Hadīth #5649 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*)] &

With regards to the second situation mentioned by Imām Ibn Qudamāh Al-Maqdisī (**Rahimahu 'Llah**) which is: **If the disbelievers enter a country then it is specified upon its people to fight them and repel them.** Then this is what is known as Jihād Ad-Daf' (Defensive Jihād) and its ruling as mentioned above is that it is Fard 'Ayn (An Individual Obligation) and this is something which the scholars from the Salaf have Ijma' (Consensus) upon as we'll see shortly **InshAllāh.**

Before proceeding further to see what the scholars from the Salaf have said with regards to Jihād Ad-Daf' (Defensive Jihād) it is vitally important to reflect on the conflicts that are currently taking place between the Muslims and the Kuffār and to see what type of Jihād they fall into, i.e. Jihād At-Talab (Offensive Jihād) or Jihād Ad-Daf' (Defensive Jihād). The following is a brief summary of some of the conflicts that are currently taking place:

**Afghanistan:** Where the Kuffār headed by the United States and the United Kingdom have entered and occupied the country.

**Chechnya:** Where the Kuffār Russian Atheists have entered and occupied the country.

**Iraq:** Where the Kuffār headed by the United States and the United Kingdom have entered and occupied the country.

**Palestine:** Where the Kuffār Zionist Jews have entered, occupied and taken over the country and renamed it Israel.

**Somalia:** Where the Kuffār African Christians have entered and occupied the country.

From the above it is clear to see that all the conflicts that are currently taking place between the Muslims and the Kuffār all fall into the category of Jihād Ad-Daf' (Defensive Jihād). So now that it is clear that all the conflicts taking place between the Muslims and the Kuffār are all Jihād Ad-Daf' (Defensive Jihād) the next step would be to analyse what the scholars from the Salaf have said on this issue, i.e. That of Jihād Ad-Daf' (Defensive Jihād).

With regards to Jihād Ad-Daf' (Defensive Jihād) then the scholars from the Salaf have spoken extensively on it to the point where it has become a clear issue in which there lies no confusion or ambiguity. For example:

Shaykh ul-Islām Imām Ibn Taymiyyah (**Rahimahu 'Llah**) said, "As for the fighting for defence, then it is the most urgent type of repelling the intruder away from the sanctities and the religion. **So it is obligatory according to the consensus (Ijmā')**".<sup>113</sup> So the intruding enemy

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**Narrated Abū Musa (Radiya 'Llahu 'anhu):** The Prophet (*Salla 'Llahu 'alayhi wa sallam*) said, "**Set free the captives and accept invitations.**" [Refer to *Sahīh al-Bukhārī* Hadīth #7173 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*)].

<sup>113</sup> Compare this statement of Shaykh ul-Islām Imām Ibn Taymiyyah (**Rahimahu 'Llah**) who said: "**So it is obligatory according to the consensus (Ijmā')**" to that of the brother who fraudulently said "*It was due to the same consideration - the absence of the Khilafa -*

who corrupts the religion and this life; there is nothing more obligatory after faith, than to repel it. **So there are no conditions for it, rather it must be repelled using any means available.**<sup>114115</sup> [End Quote Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah)]

Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) also said, “When the enemy has entered an Islāmic land, **there is no doubt that it is obligatory on those closest to the land to defend it, and then those around them**<sup>116</sup>, ... for the entire Islāmic land is like a single country. **Also, (it is compulsory) to go forth to meet the enemy without permission from parents or people to whom one is in debt**<sup>117</sup>. The texts of (Imām) Ahmad are quite explicit regarding this.”<sup>118</sup> [End Quote Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah)]

Finally he (Rahimahu 'Llah) also said, :“When the enemy wants to attack the Muslims, **defence becomes obligatory on all those upon whom the attack is intended, and on others besides them.**<sup>119120</sup> [End Quote Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah)]

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*that al-Albānī also held that obligatory (i.e.Fard ‘Ayn) jihād does not exist today and those who declare it or claim to wage it do so without legitimate Islāmic authority.*”

<sup>114</sup> Compare this statement of Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) who said: **“So there are no conditions for it, rather it must be repelled using any means available.”** to that of one the Chief Deceivers of ours times with regards to Jihād The “Fake-Salafi/Neo-Murji/Madkhalī” scholar ‘Abdul-‘Azīz bin Rayyis Ar-Rayyis who lists many false conditions for *Jihād Ad-Daf’* such as: ability, preparation, strength of arms, numbers etc again this is a clear display of either his sheer ignorance or his complete insincerity, where he deceitfully mixes up the rulings of *Jihād At-Talab* and *Jihād Ad-Daf’* even though the Scholars from the *Salaf* have formed a consensus (*Ijmā’*) on the issue of *Jihād Ad-Daf’* as we’ll see very shortly Insha’Allāh.

<sup>115</sup> Al-Ikhtiyārāt Al-Fiq’hiyyah, page 309.

<sup>116</sup> Another confirmation by Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) about the certainty that *Jihād Ad-Daf’* (Defensive Jihād) is Fard ‘Ayn (An Individual Obligation), but yet the “Fake-Salafīs/Neo-Murji’āh/Madkhalīs” conceal such statements so that they can deceive the People!!!

<sup>117</sup> Compare this statement of Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) who said: **“Also, (it is compulsory) to go forth to meet the enemy without permission from parents or people to whom one is in debt”** to that of the “Fake-Salafīs/Neo-Murji’āh/Madkhalīs” who say that in order to perform *Jihād Ad-Daf’* one needs: Permission from the parents, Permission from the ruler, Permission from the owed debtor etc. Not to mention all the other Bātil (False) conditions which have been mentioned in Footnote #114. Again this clearly highlights either their immense ignorance with regards to Jihād and its Rulings or their complete insincerity. Again the way they’ve performed this deception of theirs is by deceitfully mixing up the rulings of *Jihād At-Talab* and *Jihād Ad-Daf’*. As a result of this they have mislead and caused many ignorant Muslims to go astray!!!

<sup>118</sup> Fatawa al-Kubara, 4/608.

<sup>119</sup> Yet another confirmation by Shaykh ul-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) about the certainty that *Jihād Ad-Daf’* (Defensive Jihād) is Fard ‘Ayn (An Individual Obligation).

<sup>120</sup> Majmu’ Al-Fatawa, 28/358.

Imām Muhammad Amin Ibn Ābidīn (Rahimahu 'Llah) said : "Jihād becomes Fard 'Ayn if the enemy attacks one of the borders of the Muslims, and it becomes Fard 'Ayn upon those close by"<sup>121</sup>. For those who are far away, it is Fard Kifāyah, if their assistance is not required. If they are needed, perhaps because those nearby the attack cannot resist the enemy, or are indolent and do not fight jihād, then it becomes Fard 'Ayn upon those behind them, like the obligation to pray and fast. There is no room for them to leave it. If they too are unable, then it becomes Fard 'Ayn upon those behind them, and so on in the same manner until the jihād becomes Fard 'Ayn upon the whole Ummah of Islām from the East to the West."<sup>122123</sup> [End Quote Imām Muhammad Amin Ibn Ābidīn (Rahimahu 'Llah)]

Imām Ibrāhīm Ad-Dussuqī (Rahimahu 'Llah) said: "Jihād becomes Fard 'Ayn upon a surprise attack by the enemy. Wherever this happens, jihād immediately becomes Fard 'Ayn upon everybody, even women, slaves and children, and they march out even if their guardians, husbands and creditors forbid them to."<sup>124125</sup> [End Quote Imām Ibrāhīm Ad-Dussuqī (Rahimahu 'Llah)]

Imām Qadī Abū Bakr Ibn Al-Arabī (Rahimahu 'Llah) said: "There may arise such a situation in which it is obligatory upon each and every one to march forward, when jihād is Fard 'Ayn if the enemy invades one of our countries or he surrounds one of our territories. Then, it is obligatory upon the whole of creation to march out for jihād. If they fail to respond, they are in sin. If the march is general, due to the enemy's occupation of a territory or capture of prisoners, the march is obligatory upon everyone. The light, the heavy, the riding, the walking, the slave and the free man shall all go out. Whoever has a father, without his permission and whoever has not a father, until Allāh's religion prevails, defends the territory and the property, humiliates the enemy and rescues the prisoners. On this there is no disagreement. What does he do if the rest stay behind? He finds a prisoner and pays his ransom. He attacks by himself if

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<sup>121</sup> Another confirmation this time by Imām Muhammad Amin Ibn Ābidīn (Rahimahu 'Llah) that *Jihād Ad-Daf'* (Defensive Jihād) is Fard 'Ayn (An Individual Obligation).

<sup>122</sup> It seems apparent from the words of the Imām (Rahimahu 'Llah) that *Jihād* today is Fard 'Ayn (An Individual Obligation) upon the Whole Ummah due to the fact that the enemies of Islām have entered many Muslim lands and have occupied them without being expelled from any of them. Also notice how the Imām (Rahimahu 'Llah) compares those who don't perform Jihād in this situation to those who don't Pray or Fast. Again one shudders to think what the Imām (Rahimahu 'Llah) would have to say to the "Fake-Salafis/Neo-Murjī'ah/Madkhalīs" and their scholars who not only neglect this Jihād which is Fard 'Ayn (An Individual Obligation) upon them, but also discourage others from performing it. May Allāh give them all what they deserve AMEEN.

<sup>123</sup> Hāshiyah Ibn Ābidīn 3/238.

<sup>124</sup> See comments on Footnote #117 & 122.

<sup>125</sup> Hāshiyah Ad-Dussuqī, Volume 2, Page 174.



**he is able, and if not he prepares a warrior.”**<sup>126127</sup> [End Quote Imām Ibn Al-Arabī (Rahimahu 'Llah)]

Imām Ahmad Ar-Ramlī (Rahimahu 'Llah) said: "If they approach one of our lands and the distance between them and us becomes less than the distance permitting the shortening of prayers, **then the people of that territory must defend it and it becomes Fard ‘Ayn even upon the people for whom there is usually no jihād; the poor, the children, the slaves, the debtor and the women.**"<sup>128129</sup> [End Quote Imām Ahmad Ar-Ramlī (Rahimahu 'Llah)]

Also as mentioned earlier and what was the basis for our discussion on Jihād Ad-Daf’ (Defensive Jihād) Imām Ibn Qudamāh Al-Maqdisī (Rahimahu 'Llah) said: "Jihād becomes Fard ‘Ayn in three situations:

- 1) If the two sides meet in battle and they approach each other.
- 2) If the Kuffār enter a land, jihād becomes Fard ‘Ayn upon its people.**
- 3) If the Imām calls a people to march forward it is obligatory upon them to march forward."<sup>130</sup> [End Quote Imām Ibn Qudamāh Al-Maqdisī (Rahimahu 'Llah)]

Even contemporary Scholars such as Shaykh Ibn ‘Uthaymīn (Rahimahu 'Llah) said: “Jihād is obligatory and becomes Fard ‘Ayn if a person is present where fighting is going on. This is the first of the situations in which jihād becomes an individual obligation, because Allāh says:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمُ الْاُدْبَارَ وَمَنْ يُؤَلِّهِمْ يَوْمَئِذٍ دُبُرَهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحِيزًا إِلَىٰ فِتْنَةٍ فَقَدْ بَاءَ بِغَضَبٍ مِّنَ اللَّهِ وَمَأْوَاهُ جَهَنَّمُ وَبِئْسَ الْمَصِيرُ

***“O you who believe! When you meet those who disbelieve, in a battlefield, never turn your backs to them. And whoever turns his back to them on such a day — unless it be a stratagem of war, or to retreat to a troop (of his own), — he indeed has drawn upon himself wrath from Allāh. And his abode is Hell, and worst indeed is that destination!”***<sup>131</sup>

The Prophet (peace and blessings of Allāh be upon him) said that running away on the day when the army is advancing is one of the sins that doom a person to Hell. He said: “Avoid the

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<sup>126</sup> See comments on Footnotes #117 & 122.

<sup>127</sup> Ahkām al Qur’ān 2/954.

<sup>128</sup> See comments on Footnote #117 & 122.

<sup>129</sup> Nihayāh Al-Muhtaj 8/58.

<sup>130</sup> Al-Mughnī 8/354.

<sup>131</sup> Sūrah al-Anfāl 8:16.

seven sins that doom a person to Hell...” among which he mentioned running away on the day when the army is advancing.<sup>132</sup> But Allāh has made exceptions in two cases:

- 1- When it is a military manoeuvre, in the sense that he is leaving to bring reinforcements.
- 2- When he is going to join another group, when he has been told that there is a group of Muslims elsewhere who are about to be defeated, so he goes to join them in order to strengthen their numbers. This is subject to the condition that there is no risk to the group he is in; if there is a risk to the group that he is in, then it is not permissible for him to go to the other group. In this case (jihād) is an individual obligation upon him (Fard ‘Ayn) and it is not permissible for him to leave.

**The second situation (in which jihād becomes an individual obligation) is when a city is besieged by the enemy. Then he has to fight in defence of the city, because when the city is besieged there is no alternative but to defend it, for if the enemy is going to prevent people from leaving the city or entering it, and prevent provisions from reaching it, and other things which are well known, then in this case the people of the city are obliged to fight in order to defend their city.**

The third situation is when the leader tells the people to mobilize; the leader (Imām) is the highest authority in the state, but he need not necessarily be the leader of all the Muslims, because there has been no leader of all the Muslims (Khalīfah) for a long time. The Prophet (peace and blessings of Allāh be upon him) said: “Listen and obey, even if you are ruled by an Abyssinian slave.” So if a man becomes a leader, then his word is to be heeded and his commands are too obeyed.”<sup>133</sup> [End Quote Shaykh Ibn ‘Uthaymīn (**Rahimahu ‘Llah**)]

The Shaykh (**Rahimahu ‘Llah**) also reiterated similar words as can be seen from the following conversation:

Shaykh: “If the enemy besieged your land then Jihād becomes? To defend it becomes?”

*Student: “Obligatory”*

Shaykh: “**Jihād now becomes Obligatory because its Defensive Jihād**<sup>134</sup> because if the enemy besieges the country the people will be vulnerable to annihilation especially in times similar to ours if the enemy besieged a land and cut the electricity and cut the water supply and gas etc this means the nation will be destroyed, so defending themselves becomes obligatory as long as they have something to defend themselves with. **Jihād is of two types: Defensive Jihād and Offensive Jihād. Defensive Jihād is a singular obligation (Fard ‘Ayn) without elaboration**<sup>135</sup>. It is obligatory to defend your religion. Any person who

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<sup>132</sup> Agreed upon.

<sup>133</sup> Ash-Sharh al-Mumtī’, 8/10-12.

<sup>134</sup> Yet another confirmation this time by a contemporary Scholar Shaykh Ibn ‘Uthaymīn (**Rahimahu ‘Llah**) that *Jihād Ad-Daf’* (Defensive Jihād) is Fard ‘Ayn (An Individual Obligation).

<sup>135</sup> Notice how the Shaykh (**Rahimahu ‘Llah**) mentions these two different types of Jihād and makes a clear distinction between them in all respects this is something the “Fake-

attacks me I must defend because?”

*Student: “It’s Obligatory”*

Shaykh: “It’s defending yourself firstly and defending the lands of the Muslims, so it’s obligatory to defend it. Even the women who are able to defend must do so or from the young and what is similar to it by condition that they are safe from being defeated, but if we fear that they maybe defeated then we don’t throw them into battle. **As for defensive Jihād when the Kuffār besiege a land from the lands of the Muslims or they enter it by force it becomes obligatory on all Muslims to defend this land and to remove those kuffār from the land because the Muslims all around the world they are one nation and have one land, so when a land of the Muslims is besieged on any space of this world then it is obligatory on all Muslims to break the siege that is upon them.**”<sup>136137</sup> [End Quote Shaykh Ibn ‘Uthaymīn (Rahimahu ‘Llah)].

From the above mentioned evidences from the Qur’ān, Sunnah and the statements of the scholars from the Salaf we’ve again proven that the saying that Jihād is only Fard ‘Ayn (An Individual Obligation) when there is an Imām or a Khalīfah for all the Muslims is another false and innovative statement which contradicts the consensus (*Ijmā’*) of the scholars from the Salaf. We’ve also clearly proven that all the Jihād taking place today is of the type which is known as *Jihād Ad-Daf’* (Defensive Jihād) whose ruling is Fard ‘Ayn (An Individual Obligation) according to the consensus (*Ijmā’*) of the scholars from the Salaf and that there are no additional conditions to perform it except the basic ones required to perform any act of *Ibadat* (Worship) these being: Islām, Maturity, Soundness of mind etc. Also it has been made clear that the child goes without the permission of the parents, the slave without the permission of the master, the debtor without the permission of the creditor, the wife without the permission of the husband etc. So now that all the above-mentioned details have been established we can now conclude that the placing of the condition of having an Imām or Khalīfah who rules over all the Muslims in order for Martyrdom Operations to be permissible is actually a false one which opposes the Qur’ān, Sunnah and consensus of the scholars, especially in today’s reality were all the Jihād taking place between the Muslims and the

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Salafis/Neo-Murjī’āh/Madkhalīs” conveniently fail to do. Another irony is the Chief Deceiver of ours times with regards to Jihād the “Fake-Salafi/Neo-Murjī/Madkhalī” scholar ‘Abdul-‘Azīz bin Rayyis Ar-Rayyis claims to be a former-student of the Shaykh (Rahimahu ‘Llah) yet he writes many laughable books on the matter such as an article which goes under the title: “Postponing Jihād in times of Weakness” where he deceitfully mixes up the rulings of *Jihād At-Talab* and *Jihād Ad-Daf’* and shamefully opposes not only the consensus (*Ijmā’*) of the Scholars from the *Salaf* but even Shaykh Ibn ‘Uthaymīn (Rahimahu ‘Llah) who he claims was his former-shaykh!!! Also notice how the Shaykh (Rahimahu ‘Llah) said: **“Defensive Jihād is a singular obligation (Fard ‘Ayn) without elaboration”.**

<sup>136</sup> See comments on Footnote #122.

<sup>137</sup> The video can be downloaded from the following link:

<http://www.youtube.com/watch?v=xqVcLPt75hg>

Note: The above mentioned quotes of the Shaykh (Rahimahu ‘Llah) span from time 0:00-2:20 on the video (We’ll be returning back to the remainder of this video very shortly Insha’Allāh).

Kuffār is *Jihād Ad-Daf* (Defensive Jihād) whose ruling is Fard ‘Ayn (An Individual Obligation).

## REFUTATION OF THE CHAPTER “THE RULING ON TARGETING NON-COMBATANTS”

The next chapter in the book is titled “*The Ruling on Targeting Non-Combatants*”<sup>138</sup> in which the brother writes the following:

**“Regardless of which informed opinion a person takes on suicide bombing, what is indisputable is that Islām unequivocally forbids the targeting of non-combatants during times of war or peace. An act of violence, suicidal or otherwise, against innocent or otherwise peaceful men, women and children is, simply, terrorism.” [End Quote Ben Ādam]**

Again the brother starts off by implicitly admitting that the issue of Martyrdom Operations is not clear-cut among the scholars of Islām and that it is an issue which the scholars have differed upon and have made Ijtihād on, where those who are correct will receive two rewards and those who have erred will receive one reward and where neither side should be blamed for holding their respective opinions. So I again ask the question to the brother why are you writing a document condemning them then???

Also the statement that the brother makes afterwards : “*Islām unequivocally forbids the targeting of non-combatants during times of war or peace. An act of violence, suicidal or otherwise, against innocent or otherwise peaceful men, women and children is, simply, terrorism.*” This statement is again another false one as I’m now going to prove **Insha'Allāh**.

What the brother has failed to mention is that a Kāfir<sup>139</sup> falls into one of two categories either

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<sup>138</sup> This chapter spans from page 11 to 13 in the book.

<sup>139</sup> In origin the blood, wealth and honour of the Kuffār is halāl for the Muslims. Meaning it is permissible to spill their blood, seize their wealth and capture their women and children unless they make a ‘Ahd ul Amān (Covenant of Security) with the Muslims. The exceptions are the old men, women, children and those similar to them whom it is prohibited to intentionally kill except for specific reasons. Amongst the many evidences that the scholars have used to support this principle are:

فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ وَأَحْصُرُوهُمْ وَأَقْعُدُوا لَهُمْ كُلَّ مَرْصِدٍ  
فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوْا الزَّكَاةَ فَخَلُّوا سَبِيلَهُمْ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

**“So when the Sacred Months have passed, then kill the Mushrikin wherever you find them, and capture them and besiege them, and lie in wait for them in each and every ambush. But if they repent and perform the Salah, and give the Zakah, then leave their way free. Verily, Allāh is Oft-Forgiving, Most Merciful.” [Sūrah At-Tawbah 9:5] &**

The saying of the Prophet (Salla 'Llahu 'alayhi wa sallam) said: ***“I have been commanded (by Allāh) to fight the people until they testify that there is no god but Allāh and that***

they are a Kāfir who has a ‘Ahd ul Amān (Covenant of Security)<sup>140</sup> from the Muslims in

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***Muhammad is the Messenger of Allāh, and they establish regular prayer and pay zakāh, then if they do that, then they save their lives and property from me except for Islāmic laws and then their reckoning will be with Allāh.*** [Refer to Sahīh al-Bukhārī Hadīths #25 & 2946 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition) and Sahīh Muslim Hadīths # 125, 126, 127, 128 & 129 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007)]. This Hadīth has been narrated by so many people that it has been classed as Mutawātir.

**Note:** The above mentioned evidences show that if a person utters the testimony of faith, establishes the prayer and gives the zakāh then they become a Muslim whose blood, wealth and honour is protected and prior to them uttering the testimony of faith, establishing the prayer and giving the zakāh they were a Kāfir whose blood, wealth and honour was unprotected and halāl for the Muslims. Also scholars have used the above mentioned evidences to support the opinion that if a person utters the testimony of faith but either fails to establish the prayer or give zakāh then they are actually a Kafir whose blood, wealth and honour was unprotected and halāl for the Muslims.

<sup>140</sup> The scholars of Islām have mentioned six different types of ‘Ahd ul Amān (Covenant of Security) and they are:

**1) Amān uth-Thimmah (The Security of Tribute) - This is where a Kāfir pays Jizyah to an Islāmic State and by it their blood, wealth and honour become protected. The evidences that the scholars use to support this are:**

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ

***“Fight against those who believe not in Allāh, nor in the Last Day, nor forbid that which has been forbidden by Allāh and His Messenger, and those who acknowledge not the religion of truth among the People of the Scripture, until they pay the Jizyah with willing submission, and feel themselves subdued.”*** [Sūrah At-Tawbah 9:29] &

the hadīth which is narrated from Buraydah (Radiya 'Llahu 'anhu) who said: When the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) appointed a commander to lead an army or a raiding party, he would advise him to fear Allāh with regard to himself and the Muslims with him, then he said: ***“Fight in the name of Allāh and for the sake of Allāh. Fight those who disbelieve in Allāh, fight but do not steal from the war booty (before it is shared out), betray, or mutilate. Do not kill children. If you meet your enemy of the mushrikīn, call them to three things, and whichever one of them they respond to, accept that from them and leave them alone. Then call them to Islām and if they respond, accept that from them and leave them alone. If they refuse but they pay the jizyah, then they have responded to you, so accept that from them and leave them alone. If they refuse then seek the help of Allāh and fight them...”*** [Refer to Sahīh Muslim Hadīths # 4522, 4523 & 4524 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007)].

**2) Amān ul Jawār (The Security of seeking Knowledge about Islām) - This is where a Kāfir seeks security from the Muslims so that they can learn about Islām. During the**

period of them learning their blood, wealth and honour become protected. The evidence that the scholars use to support this is:

وَأِنْ أَحَدٌ مِّنَ الْمُشْرِكِينَ اسْتَجَارَكَ فَأَجِرْهُ حَتَّى يَسْمَعَ كَلَامَ اللَّهِ ثُمَّ أَبْلِغْهُ مَأْمَنَهُ ذَلِكَ بِأَنَّهُمْ قَوْمٌ لَا يَعْلَمُونَ

*“And if anyone of the Mushrikin seeks your protection then grant him protection so that he may hear the Word of Allāh (the Qur'an) and then escort him to where he can be secure, that is because they are men who know not.” [Sūrah At-Tawbah 9:6]*

Imām Ibn Kathīr (Rahimahu 'Llah) explained this verse under the heading *“Idolaters are granted Safe Passage if They seek It”* and said the following: “Allāh said to His Prophet, peace be upon him,

[وَأِنْ أَحَدٌ مِّنَ الْمُشْرِكِينَ]

(And if anyone of the Mushrikin), whom you were commanded to fight and We allowed you their blood and property.

[اسْتَجَارَكَ]

(seeks your protection), asked you for safe passage, then accept his request until he hears the Words of Allāh, the Qur'an. Recite the Qur'an to him and mention a good part of the religion with which you establish Allāh's proof against him,

[ثُمَّ أَبْلِغْهُ مَأْمَنَهُ]

(and then escort him to where he can be secure) and safe, until he goes back to his land, his home, and area of safety,

[ذَلِكَ بِأَنَّهُمْ قَوْمٌ لَا يَعْلَمُونَ]

(that is because they are men who know not.) The Ayah says, ‘We legislated giving such people safe passage so that they may learn about the religion of Allāh, so that Allāh's call will spread among His servants. Ibn Abī Najih narrated that Mujāhid said that this Āyah, "Refers to someone who comes to you to hear what you say and what was revealed to you (O Muhammad). Therefore, he is safe until he comes to you, hears Allāh's Words and then proceeds to the safe area where he came from." [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]. The Tafsīr of this verse by Imām Ibn Kathīr (Rahimahu 'Llah) can be viewed at the following link:

<http://www.tafsir.com/default.asp?sid=9&tid=20770>

Note: We've only mentioned the first half of the tafsir of this verse because the other half is related to another category of Amān, i.e. Amān ur-Rusul (The Security of Messengers) which we'll mention shortly Insha' Allāh.



3) Amān us-Sulh (The Security of Treaty) - This is where Muslims agree a Peace Treaty with a Kāfir Nation. During the period of the Treaty the blood, wealth and honour of that Kāfir Nation become protected from the Muslims who conducted the Peace Treaty with them (but not from those who didn't (please refer to the Story of Abū Basīr *Radiya 'Llahu 'anhū*)). Many scholars stipulate that the time period of such a treaty shouldn't exceed ten years and that it can't be for an indefinite period of time as this would lead to the abandonment of Jihād. The evidence that the scholars use to support this is:

فَلَا تَهِنُوا وَتَدْعُوا إِلَى السَّلَامِ وَأَنْتُمْ الْأَعْلَوْنَ وَاللَّهُ مَعَكُمْ وَلَنْ يَتَرَكُكُمْ أَغْمَلَكُمْ

“So do not lose heart and beg for peace while you are superior. Allāh is with you and He will never deprive you of (the reward of) your deeds.” [Sūrah Muhammad 47:35]

Imām Ibn Kathīr (Rahimahu 'Llah) explained this verse by saying the following: “Allāh then addresses His believing servants by saying,

[فَلَا تَهِنُوا]

(So do not lose heart) meaning, do not be weak concerning the enemies.

[وَتَدْعُوا إِلَى السَّلَامِ]

(and beg for peace) meaning, compromise, peace, and ending the fighting between you and the disbelievers while you are in a position of power, both in great numbers and preparations. Thus, Allāh says,

[فَلَا تَهِنُوا وَتَدْعُوا إِلَى السَّلَامِ وَأَنْتُمْ الْأَعْلَوْنَ]

(So do not lose heart and beg for peace while you are superior.) meaning, in the condition of your superiority over your enemy. If, on the other hand, the disbelievers are considered more powerful and numerous than the Muslims, then the Imam (general commander) may decide to hold a treaty if he judges that it entails a benefit for the Muslims. This is like what Allāh's Messenger did when the disbelievers obstructed him from entering Makkah and offered him treaty in which all fighting would stop between them for ten years. Consequently, he agreed to that. Allāh then says:

[وَاللَّهُ مَعَكُمْ]

(And Allāh is with you) This contains the good news of victory and triumph over the enemies.

[وَلَنْ يَتَرَكُكُمْ أَغْمَلَكُمْ]

(and He will never deprive you of (the reward of) your deeds.) meaning, Allāh will never invalidate your deeds, nullify them, or deprive you of them, but rather He will give you

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your rewards complete, without any reduction." And Allāh knows best." [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]. The Tafsīr of this verse by Imām Ibn Kathīr (Rahimahu 'Llah) can be viewed at the following link:  
<http://www.tafsir.com/default.asp?sid=47&tid=49228>

The details of Al-Hudaibiyah Treaty have been mentioned in the following excerpt:

“When Quraish saw the firm determination of the Muslims to shed the last drop of blood for the defence of their Faith, they came to their senses and realized that Muhammad’s followers could not be cowed down by these tactics.

After some further interchange of messages they agreed to conclude a treaty of reconciliation and peace with the Muslims. The clauses of the said treaty go as follows:

1. The Muslims shall return this time and come back next year, but they shall not stay in Makkah for more than three days. They shall not come back armed but can bring with them swords only sheathed in scabbards and these shall be kept in bags.

2. War activities shall be suspended for ten years, during which both parties will live in full security and neither will raise sword against the other.

3. Whosoever wishes to join Muhammad (Salla 'Llahu 'alayhi wa sallam), or enter into treaty with him, should have the liberty to do so; and likewise whosoever wishes to join Quraish, or enter into treaty with them, should be allowed to do so.

4. If anyone from Quraish goes over to Muhammad (Salla 'Llahu 'alayhi wa sallam) without his guardian’s permission, meaning a fugitive, he should be sent back to Quraish, but should any of Muhammad’s followers return to Quraish, he shall not be sent back.” [End Quote Shaykh Saif-ur-Rahmān Al-Mubarakpuri (Rahimahu 'Llah)]. [Refer to “The Sealed Nectar” (Ar-Raheeq Al-Makhtum) Pages 403-404].

Note: The scholars are agreed that the fourth clause made in Al-Hudaibiyah Treaty, i.e. *“If anyone from Quraish goes over to Muhammad (Salla 'Llahu 'alayhi wa sallam) without his guardian’s permission, meaning a fugitive, he should be sent back to Quraish, but should any of Muhammad’s followers return to Quraish, he shall not be sent back.”* Was specific to the Prophet (Salla 'Llahu 'alayhi wa sallam) and cannot be emulated by anyone else after him due to the fact that he knew for certain via the revelation from Allāh that those Muslims who were handed back to the Quraish would definitely escape from them as can be clearly seen in his (Salla 'Llahu 'alayhi wa sallam)’s saying *“Verily whoever went from us to them then Allāh will distance him and whoever comes to us from them then Allāh will make for them an opening and a way out.”* [Refer to Sahīh Muslim Hadīth # 4632 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007)].

Also given that all the Jihād taking place today is Jihād Ad-Daf’ (Defensive Jihād) due to the Kuffār entering many Muslim lands and occupying them. Then a couple of mandatory clauses which need to exist between the Muslims and the specific kafir nation that they are conducting a peace treaty with is for them to completely evacuate from the Muslim land/s which they are occupying and for them to completely cease in their hostilities. If either of these clauses are missing then such a treaty is Baatil

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(Invalid) as it would involve either surrendering over Muslim land to the Kuffar or not fighting while the enemy is still engaged in hostilities.

4) Amān ur-Rusul (The Security of Messengers) - This is a Security given to those entrusted to deliver messages from the Kuffār. Their blood, wealth and honour are protected. The evidence that the scholars use to support this is:

From Nu'aym ibn Mas'ūd Al-Ashja'ī (Radiya 'Llahu 'anhū) who said, "I heard the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) saying to them – in others words, the two messengers of Musaylimah, the liar - when they read the letter of Musaylimah, "What do you two say?" They said, "We say as he (i.e. Musaylimah) says." He said: "By Allāh, if it were not that messengers are not killed, I would have struck your necks." [Refer to Sunan Abū Dāwūd Hadīth #2761 (Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008). It has been classed as being Hasan. It has been authenticated by Shaykh al-Albānī in Sahīh Abū Dāwūd Hadīth #2398].

Imām Ibn Kathīr (Rahimahu 'Llah) said: "The Messenger of Allāh used to thereafter grant safe passage to those who came to him for guidance or to deliver a message. On the day of Hudaibiyyah, several emissaries from Quraysh came to him, such as 'Urwah bin Mas'ud, Mikraz bin Hafs, Suhayl bin 'Amr and several others. They came mediating between him and the Quraysh pagans. They witnessed the great respect the Muslims had for the Prophet, which astonished them, for they never before saw such respect for anyone, kings nor czars. They went back to their people and conveyed this news to them; this, among other reasons, was one reason that most of them accepted the guidance. When Musaylimah the Liar sent an emissary to the Messenger of Allāh, he asked him, "Do you testify that Musaylimah is a messenger from Allāh?" He said, "Yes." The Messenger of Allāh said,

«لَوْ أَنَّ الرُّسُلَ لَا تُقْتَلُ لَضَرَبْتُ عُنُقَكَ»

(I would have cut off your head, if it was not that emissaries are not killed.) That man, Ibn An-Nawwahah, was later beheaded when 'Abdullah bin Mas'ud was the governor of Al-Kūfah. When it became known that he still testified that Musaylimah was a messenger from Allāh, Ibn Mas'ūd summoned him and said to him, "You are not delivering a message now!" He commanded that Ibn An-Nawwahah be decapitated, may Allāh curse him and deprive him of His mercy. In summary, those who come from a land at war with Muslims to the area of Islām, delivering a message, for business transactions, to negotiate a peace treaty, to pay the Jizyah, to offer an end to hostilities, and so forth, and request safe passage from Muslim leaders or their deputies, should be granted safe passage, as long as they remain in Muslim areas, until they go back to their land and sanctuary." [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]. The Quote of Imām Ibn Kathīr (Rahimahu 'Llah) has been taken from the following link: <http://www.tafsir.com/default.asp?sid=9&tid=20770>

Note: It is clear from the statement of Imām Ibn Kathīr (Rahimahu 'Llah) and especially his summary that those entrusted to deliver messages from the Kuffar are

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only protected while they are delivering the messages and if this is not the case then the protection doesn't apply to them.

5) The Security (Amān) of the Muslim in the land of the Disbelievers - This is where a Muslim enters a land of the Kuffār after first agreeing an 'Ahd ul Amān (Covenant of Security) with them. By doing this the blood, wealth and honour of the Kuffār of that land becomes protected from that particular Muslim. A modern day example of this would be an Entrance Visa and things similar to it. Amongst the many evidences that the scholars have used to support this are those connected to fulfilling contracts and agreements such as:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَوفُوا بِالْعُقُودِ

*“O you who believe! Fulfill (your) obligations.” [Sūrah Al-Mā'idah 5:1] &*

وَأَوْفُوا بِالْعَهْدِ إِنَّ الْعَهْدَ كَانَ مَسْئُولًا

*“And fulfil (every) covenant. Verily, the covenant will be questioned about.” [Sūrah Al-Isrā' 17:34]*

Abū Hurayrah (*Radiya 'Llahu 'anhu*) narrated that the Prophet (Salla 'Llahu 'alayhi wa sallam) said: *“The Muslims are bound by their conditions.”* [Refer to Sunan Abū Dāwūd Hadīth #3594 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*). It has been classed as saḥīḥ by al-Albānī in Saḥīḥ Al-Jāmi' Hadith #6716, Saḥīḥ Abī Dāwūd Hadith #3063 & Al-Irwā' Hadith #1303].

And there are many more evidences supporting the obligation of fulfilling contracts and agreements as well as the sin of not doing so, but suffice to say the above mentioned evidences are enough to prove this.

6) The Security (Amān) of the Disbeliever in the land of the Muslims - This is where a Kāfir enters a land of the Muslims after first agreeing to an 'Ahd ul Amān (Covenant of Security) from any Muslim in that land by this their blood, wealth and honour becomes protected from the Muslims in that land. Again the modern day example of this would be an Entrance Visa and things similar to it. The evidences for this are exactly the same as those used for The Security (Amān) of the Muslim in the land of the Disbelievers because they are the same with the only difference being that roles are reversed and its the Muslim offering the Security (Amān) to the Kāfir rather than the other way around. Therefore the evidences of fulfilling contracts and agreements again apply, i.e. Sūrah Al-Mā'idah 5:1, Sūrah Al-Isrā' 17:34 and the hadīth Refer to Sunan Abū Dāwūd Hadīth #3594 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*). It has been classed as saḥīḥ by al-Albānī in Saḥīḥ Al-Jāmi' Hadith #6716, Saḥīḥ Abī Dāwūd Hadith #3063 & Al-Irwā' Hadith #1303.

Note: The Peace Treaties and Entrance Visas etc which have been contracted by the Rulers in the Muslim World today who have replaced the Sharī'ah with Man-Made laws and have assisted the Kuffar in fighting the Muslims as well as doing other things which take them out of the fold of Islām are all Bātil (Invalid) due to them being

which case they would be classed as a Kāfir Mu'āhad/ Kāfir Musta'man whose blood, wealth and honour is protected, i.e. It is forbidden to spill their blood, seize their wealth or capture their women and children unless they do something which violates their 'Ahd ul Amān (Covenant of Security) which they have with the Muslims, or they are a Kāfir who doesn't have a 'Ahd ul Amān (Covenant of Security) from the Muslims in which case they would be classed as a Kāfir Muhārib/ Kāfir Harbī whose blood, wealth and honour is unprotected, i.e. It is permissible to spill their blood, seize their wealth and capture their women and children unless they make a 'Ahd ul Amān (Covenant of Security) with the Muslims. With regards to the Kāfir Muhārib/Kāfir Harbī then the exceptions from them are the old men, women, children and those similar to them whom it is prohibited to intentionally kill except for specific reasons such as if they fight against Muslims, encourage/support their fighters, distract the Muslims during fighting, if they curse the Prophet (**Salla 'Llahu 'alayhi wa sallam**), if they are the Leaders of the Kuffār etc in which case they should be killed also. This means that those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) can be killed because there exists no 'Ahd ul Amān (Covenant of Security) between them and the Muslims (This is something we'll prove very shortly **Insha'Allāh**).

This is why Imām Ibn Al-Qayyim Al-Jawziyyah (**Rahimahu 'Llah**) said, "Our *Shaykh* (i.e. Imām Ibn Taymiyyah (**Rahimahu 'Llah**)) said, "And this is the clear comparative analogy (*Qiyās*) because the blood is permissible without a covenant ('Ahd). And the covenant ('Ahd) is a contract from the contracts so if one of the two signatories does not fulfil that which he contracted upon, then the contract is either nullified or the other signatory is able to nullify it." <sup>141</sup> [End Quote Imām Ibn Al-Qayyim Al-Jawziyyah (**Rahimahu 'Llah**)]

With regards to the evidences proving that those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) can be killed because there exists no 'Ahd ul Amān (Covenant of Security) between them and the Muslims then we again turn to the Story of Abū Basīr (**Radiya 'Llahu 'anhū**) which is narrated in Sahīh Al-Bukhārī by Al-Miswar bin Makhrama and Marwān (**Radiya 'Llahu 'anhū**)

"When the Prophet returned to Medina, Abū Basīr, a new Muslim convert from Quraysh came to him. The Infidels sent in his pursuit two men who said (to the Prophet), "*Abide by the promise you gave us.*" So, the Prophet handed him over to them. They took him out (of the City) till they reached Dhul-Hulaifa where they dismounted to eat some dates they had with them. Abū Basīr said to one of them, "*By Allāh, O so-and-so, I see you have a fine sword.*" The other drew it out (of the scabbard) and said, "*By Allāh, it is very fine and I have tried it many times.*" Abū Basīr said, "*Let me have a look at it.*" When the other gave it to him, he hit him with it till he died, and his companion ran away till he came to Medina and entered the Mosque running. When Allāh's Apostle saw him he said, "***This man appears to have been frightened.***" When he reached the Prophet he said, "*My companion has been*

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**Apostates. And it is well known in the Sharī'ah that the contracts of an Apostate are Bātil (Invalid), however they can be valid if they are done on the request of a Muslim or Muslims in that country. As will be mentioned soon the covenant ('Ahd) is a contract from the contracts so if one of the two signatories does not fulfil that which he contracted upon, then the contract is either nullified or the other signatory is able to nullify it.**

<sup>141</sup> Ah'kām Ahl Ath-Thimmah, Vol. 3/1354.



murdered and I would have been murdered too." Abū Basīr came and said, "O Allāh's Apostle, by Allāh, Allāh has made you fulfil your obligations by your returning me to them (i.e. the Infidels), but Allāh has saved me from them." The Prophet said, "**Woe to his mother! What excellent war kindler he would be, should he only have supporters.**" When Abū Basīr heard that he understood that the Prophet would return him to them again, so he set off till he reached the seashore. Abū Jandal bin Suhail got himself released from them (i.e. infidels) and joined Abū Basīr. So, whenever a man from Quraysh embraced Islām he would follow Abū Basīr till they formed a strong group. **By Allāh, whenever they heard about a caravan of Quraysh heading towards Shām, they stopped it and attacked and killed them (i.e. infidels) and took their properties.** The people of Quraysh sent a message to the Prophet requesting him for the Sake of Allāh and Kith and kin to send for (i.e. Abū Basīr and his companions) promising that whoever (amongst them) came to the Prophet would be secure."<sup>142</sup>

It is clear from the above mentioned Hadīth that Abū Basīr's attacking of the caravans of Quraysh, seizing their wealth, and killing the men of their convoys, proves what I've mentioned earlier that those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) can be killed, their wealth seized and their women and children taken as captives due to the fact that there exists no 'Ahd ul Amān (Covenant of Security) between them and the Muslims. What is also clear from this Hadīth is that the caravans were no threat to Abū Basīr, as they were deploying for trade, nor is there any indication that those whose wealth he seized or blood he shed were aggressive towards the Muslims in Makkah. What is clear from the *Hadīth* itself, as well as the from the commentaries of this Hadīth, is that this blood and wealth was permissible to Abū Basīr due to the fact that these *Mushrikīn* had no 'Ahd ul Amān (Covenant of Security) from him. And this is that the basic rule (*Asl*) regarding the blood, wealth and honour of the disbelievers, is it is lawful (*Halāl*), as long as they do not have an 'Ahd ul Amān (Covenant of Security), which would protect them. And the fact that the remaining Muslim *Sahābah* fled Makkah to join Abū Basīr in these activities shows that they approved of his understanding of this ruling, as it has come in the ending of this narration: "So, whenever a man from Quraysh embraced Islām he would follow Abū Basīr till they formed a strong group. **By Allāh, whenever they heard about a caravan of Quraysh heading towards Shām, they stopped it and attacked and killed them (i.e. infidels) and took their properties.**"<sup>143</sup>

Also there is the incident of Banū Quraidah who had a Covenant with the Prophet (*Salla 'Llahu 'alayhi wa sallam*) in Medina, but they violated this Covenant by conspiring with the other Kuffār against the Muslims in the Battle of the Trench. This incident has been

<sup>142</sup> Refer to Sahīh al-Bukhārī Hadīths #2731 & 2732 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*).

<sup>143</sup> Compare the words from the Hadīth "**By Allāh, whenever they heard about a caravan of Quraysh heading towards Sham, they stopped it and attacked and killed them (i.e. infidels) and took their properties.**" To that of the brother who said "*Islām unequivocally forbids the targeting of non-combatants during times of war or peace. An act of violence, suicidal or otherwise, against innocent or otherwise peaceful men, women and children is, simply, terrorism.*" His words in effect imply that what Abū Basīr and his companions (*Radiya 'Llahu 'anhum*) did by targeting the Caravans of Quraysh and perpetrating acts of violence against the peaceful traders was something which was unequivocally forbidden and was quite simply "Terrorism". This is despite the fact that the Prophet (*Salla 'Llahu 'alayhi wa sallam*) fully consented of what they were doing!!!



mentioned in the following excerpt:

“On the very day the Allāh’s Messenger (*Salla 'Llahu 'alayhi wa sallam*) came back to Madinah after the battle, and while he was washing in Umm Salāmah’s house, Jibreel (*'Alayhi salam*) visited him asking that he should unsheathe his sword and head for the locality of the treacherous Banū Quraidah and fight them. Jibreel (*'Alayhi salam*) told that he with a procession of angels would go ahead to shake their forts and cast fear in their hearts.

Allāh’s Messenger (*Salla 'Llahu 'alayhi wa sallam*) immediately summoned the prayer caller and ordered him to announce that every listener should offer the Asr prayer at Banū Quraidah. He appointed Ibn Umm Maktum (*Radiya 'Llahu 'anhu*) to administer Madinah, and entrusted the banner of war to ‘Ali bin Abi Talib (*Radiya 'Llahu 'anhu*) who marched towards the appointed target and came close enough to hear the Jews Abusing Allāh’s Messenger (*Salla 'Llahu 'alayhi wa sallam*). The Prophet (*Salla 'Llahu 'alayhi wa sallam*) set out at the head of three thousand infantry men and thirty horsemen of Ansār (Helpers) and Muhājireen (Emigrants). On their way to encounter the enemy, the Asr prayer was due. Some Muslims refused to observe it until they had defeated the enemy, while others performed it. Prophet (*Salla 'Llahu 'alayhi wa sallam*) objected to neither. When they reached the locality of Banū Quraidah, they laid tight siege to their forts. Seeing this terrible situation they were in, the chief of the Jews Ka‘b bin Asad offered them three alternatives: **to embrace Islām, and consequently their life, wealth, women and children would be in full security**, and reminded them that such behaviour would not be in opposition to what they had read in their books about the authenticity of Muhammad’s Prophethood; to kill their children and women and then challenge the Prophet (*Salla 'Llahu 'alayhi wa sallam*) and his followers to the sword to either kill the Muslims or be killed, or as a third possibility to take Muhammad (*Salla 'Llahu 'alayhi wa sallam*) and his people by surprise on Saturday — a day they understood they were to participate in no fighting.

None of those alternatives appealed them, so their chief, angrily and indignantly, turned to them saying: *"You people have never been decisive in decision-making since you were born"* The dark future already visible, they made contacts with some Muslims, who had maintained good relations with them, in order to learn about their fate in light of the current circumstances. They requested that Abū Lubabah (*Radiya 'Llahu 'anhu*) be despatched to them for advice. On his arrival, the men began requesting favour, women and children crying desperately. In answer to their demand for advice he pointed to his throat saying it was homicide awaiting them. He then immediately realized that he had betrayed the Prophet’s trust, so he headed directly for the mosque in Madinah and tied himself to a wooden tall pole swearing that no one would untie him except Allāh’s Messenger (*Salla 'Llahu 'alayhi wa sallam*), and added that he would never enter the locality of Banū Quraidah in recompense for the deadly mistake he made. When the Messenger (*Salla 'Llahu 'alayhi wa sallam*) was informed of this incident, he said:

***"I would have begged Allāh to forgive him if he had asked me, but since he had tied himself out of his own free will, then it is Allāh Who would turn to him in forgiveness."***

The Jews of Banū Quraidah could have tolerated the siege much longer because food and water were plentifully available and their strongholds were greatly fortified, whereas the Muslims were in the wild bare land suffering a lot from cold and hunger, let alone extreme fatigue from the endless warfare operations that began before the battle of Confederates.

Nevertheless, this was a battle of nerves, for Allāh had cast fear in the Jews' hearts, and their morale had almost collapsed especially when two Muslim heroes, 'Ali bin Abi Talib and Az-Zubair bin 'Awwam (*Radiya 'Llahu 'anhu*) proceeded with 'Ali swearing that he would never stop until he had either stormed their fort or been martyred like Hamza (*Radiya 'Llahu 'anhu*).

In the light of this reluctance, they had nothing except to comply with the Messenger's judgement. Allāh's Messenger (*Salla 'Llahu 'alayhi wa sallam*) ordered that the hands of the men should be bound, and this was done under the supervision of Muhammad bin Salāmah Al-Ansārī while the women and children were isolated in confinement. Thereupon Al-Aws tribe interceded begging the Prophet (*Salla 'Llahu 'alayhi wa sallam*) to be lenient towards them. He suggested that Sa'd bin Mu'adh (*Radiya 'Llahu 'anhu*), a former ally, be deputed to give verdict about them, and they agreed.

Sa'd (*Radiya 'Llahu 'anhu*) meanwhile stayed behind in Madinah due to a serious wound he sustained in the battle of Confederates. He was summoned and brought on a donkey. On his way to the Prophet (*Salla 'Llahu 'alayhi wa sallam*), the Jews pressed him to be lenient in his judgement on account of former friendship. Sa'd (*Radiya 'Llahu 'anhu*) remained silent but when they persisted he uttered: *"It is time for Sa'd not to be afraid of the blame of the blamers."* On hearing this decisive attitude, some of them returned to Madinah and spread the news of the fate of the prisoners.

On arrival, he alighted with the help of some men. He was informed that the Jews had agreed to accept his verdict about them. He immediately wondered if his judgement would pass on all the people present, the Prophet (*Salla 'Llahu 'alayhi wa sallam*) included, turning his face away in honour of him. The reply was positive.

**He decided that all the able-bodied male persons belonging to the tribe should be killed, women and children taken as prisoners and their wealth divided among the Muslim fighters. The Prophet (*Salla 'Llahu 'alayhi wa sallam*) accepted his judgement saying that Sa'd had adjudged by the Command of Allāh.**<sup>144</sup> In fact, the Jews deserved that severe punitive action for the ugly treachery they had harboured against Islām, and the large arsenal they amassed which consisted of one thousand and five hundred swords, two thousand spears, three hundred coats of armour and five hundred shields, all of which went into the hands of the Muslims. Trenches were dug in the bazaar of Madinah and a number of Jews between six and seven hundred were beheaded therein. Hot beds of intrigue and treachery were thus exterminated once and for all."<sup>145</sup> [End Quote Shaykh Saif-ur-Rahmān Al-Mubarakpuri (*Rahimahu 'Llah*)].

Also some of the Scholars from the Salaf discussed the scenarios of a Muslim entering the lands of the Kuffār without there being any 'Ahd ul Amān (Covenant of Security) and of a

<sup>144</sup> So according to the brother's earlier statement what Sa'd bin Mu'adh (*Radiya 'Llahu 'anhu*) did by deciding **to kill all the able-bodied males (those above the age of puberty), taking their women and children as prisoners and dividing their wealth amongst the Muslim fighters** was something unequivocally forbidden and quite simply "Terrorism". This is despite the fact that the Prophet (*Salla 'Llahu 'alayhi wa sallam*) accepted his decision and confirmed that Sa'd had indeed adjudged by the command of Allāh!!!

<sup>145</sup> Ar-Raheeq Al-Makhtum (The Sealed Nectar) P375-377.

Kāfir entering the lands of the Muslims without there being any ‘Ahd ul Amān (Covenant of Security). With regards to a Muslim entering the lands of the Kuffār without there being any ‘Ahd ul Amān (Covenant of Security) then the following has been said:

*Imām Ash-Shāfi’ī, (Rahimahu 'Llah), said: “If the Muslim is taken captive while in the Dār Al-Harb as a bound captive or imprisoned or left alone in an area where he sees he is able to escape from elsewhere, and they have not granted him security (Amān) nor have they taken security (Amān) from him, then it is for him to take whatever he is able to from their children and their women.”* Ash- Shāfi’ī, (Rahimahu 'Llah), said: “So if they or some of them give him security (Amān) and enter him into their country with that which is understood by them to be security (Amān) from them, while they have power over him, then it is a must upon him that they are safe from him, even if they did not say that, unless they said, ‘We have given you security (Amān) but there is no security (Amān) upon you because we are not seeking security (Amān) from you.’ So if they say this, (or) something like this, then the saying regarding it is like the saying in the first issue. It is allowed (in that case) for him to assassinate them and to take whatever he can from their property or to destroy it.”<sup>146147</sup> [End Quote *Imām Ash-Shāfi’ī, (Rahimahu 'Llah)*]

*Imām Ibn An-Nahhās (Rahimahu 'Llah), said: “The overpowered prisoner; whenever he is able to flee from the Kuffār, then he must do so with no disagreement. And if they free a prisoner unconditionally then it is for him to fight them to death and ‘Sabī’ (i.e. seize their women and children) and take their wealth*<sup>148</sup>. And this is the *Math’hab* of Ahmad. And if they free him upon (the condition) that they are under an *Amān* from him and he is under an *Amān* from them, then it is unlawful (*Harām*) for him to kill them. And likewise, if they free him upon (the condition) that he is under an *Amān* from them – even if they do not seek an *Amān* from him – according to the correct, clearly stated (opinion), and that is the *Math’hab* of Ahmad.”<sup>149</sup> [End Quote *Imām Ibn An-Nahhās (Rahimahu 'Llah)*]

Also *Imām Ibn Qudāmah (Rahimahu 'Llah)* said, “If they release him and give him security (*Amān*), then they have taken security (*Amān*) from him (also) because their security to him results in their being safe from him. Then if it is possible for him to travel to *Dār Al-Islām*, then it is a must for him (to do so). And if he is unable to, then he resides there and his ruling is the (same) ruling as the one who enters *Islām* within *Dār Al-Harb*. Then if he begins to leave and they reach him and pursue him then he is to fight them and the security (*Amān*) is nullified because they have sought from him to stay in *Dār Al-Harb* and this (i.e. his remaining there) is a disobedience. But if they release him and do not give him security (Amān) then it is for him to take from them whatever he is able and steal and flee.

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<sup>146</sup> Again according to what the brother has said previously the saying of *Imām Ash-Shāfi’ī, (Rahimahu 'Llah)* that “It is allowed (in that case) for him to assassinate them and to take whatever he can from their property or to destroy it.” Is something unequivocally forbidden and quite simply “Terrorism”!!!

<sup>147</sup> *Kitāb Al-Umm, Vol. 4/353.*

<sup>148</sup> Again another statement which is unequivocally forbidden and quite simply “Terrorism”!!!

<sup>149</sup> *Mashāri’ Al-Ashwāq Ilā Masāri’ Al-‘Ush’shāq, Vol. 2/1053.*

because he did not give them security (*Amān*) and they did not give him security.”<sup>150151</sup> [End Quote Imām Ibn Qudāmah (**Rahimahu 'Llah**)]

Also With regards to a Kāfir entering the lands of the Muslims without there being any ‘Ahd ul Amān (Covenant of Security) then the following has been said:

Imām Ibn An-Nahhās (**Rahimahu 'Llah**) said, “And I asked a group from the Shāfi’īs about a *Harbī* who leaves from his country intending the countries of the Muslims for trade: “Is it allowed for one of the herd to battle him before his entering into the seaport of the Muslims or after they entered, and before their *Amān* or after it?” **They replied that it is allowed to attack them before their entering into the seaport of the Muslims and after it, and Allāh knows best.**”<sup>152153</sup> [End Quote Imām Ibn An-Nahhās (**Rahimahu 'Llah**)]

Imām Ibn Taymiyyah (**Rahimahu 'Llah**), said: “If a man from them – in other words, the disbelievers – is taken prisoner in the fighting **or other than the fighting, like if the ship throws him to us, or he loses his way or he is taken by stratagem then the Imām does with him whatever is more beneficial, from killing him or enslaving him or bestowing favour upon him, or ransoming him for money or a life,** according to most of the jurists (*Fuqahā’*) as is indicated by the Book and the *Sunnah*.”<sup>154155</sup> [End Quote Imām Ibn Taymiyyah (**Rahimahu 'Llah**)]

Imām Ibn Qudāmah (**Rahimahu 'Llah**) said, “Ahmad was asked about a ship, which was dispatched by the emperor of Rome, which contained men. Then the wind sent it to Tarsūs, **so the people of Tarsūs came out then killed the men and took the wealth.** So he said, **‘This is Fay’ for the Muslims, which Allāh ‘Afā’a’ upon them.**’ And he was asked about a people who lose their way and then enter a town from the towns of the Muslims and then they seize them? So he said, **‘They would be for the people of the town collectively. They would divide them.’**”<sup>156157</sup> [End Quote Imām Ibn Qudāmah (**Rahimahu 'Llah**)]

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<sup>150</sup> The Imām (**Rahimahu 'Llah**) mentions that because there is no ‘Ahd ul Amān (Covenant of Security) their wealth becomes permissible to take. This also means that it is permissible to kill them as well taking their women and children as captives because the issues of blood, wealth and honour all share the same rulings. This is alluded to in the statement itself where the Imām (**Rahimahu 'Llah**) says: **“Then if he begins to leave and they reach him and pursue him then he is to fight them and the security (*Amān*) is nullified because they have sought from him to stay in *Dār Al-Harb* and this (i.e. his remaining there) is a disobedience.”**

<sup>151</sup> Al-Mughnī, Vol. 13/185.

<sup>152</sup> Again another statement which is unequivocally forbidden and quite simply “Terrorism”!!!

<sup>153</sup> Mashāri’ Al-Ashwāq Ilā Masāri’ Al-‘Ush’shāq, Vol. 2/1053.

<sup>154</sup> Again another statement which is unequivocally forbidden and quite simply “Terrorism”!!!

<sup>155</sup> Majmū’ Al-Fatāwa, Vol. 28/355.

<sup>156</sup> Again another statement which is unequivocally forbidden and quite simply “Terrorism”!!!

<sup>157</sup> Al-Mughnī Wash-Sharh’ Al-Kabīr, Vol. 10/564-565.

And the point of the above mentioned statements from the scholars is to show how they permitted the blood, wealth and honour of the disbelievers – from amongst the tradesmen and other Non-Combatants – based on the fact that they haven't been issued any 'Ahd ul Amān (Covenant of Security) and not based on their aggression towards *Islām* or the Muslims. And they only disagreed on whether he should be given security based on circumstances where the disbelievers customarily enter *Dār Al-Islām* for the purpose of trade and how the wealth should be distributed when it is seized. And these examples clearly show that the brother's statement: ***"Islām unequivocally forbids the targeting of non-combatants during times of war or peace. An act of violence, suicidal or otherwise, against innocent or otherwise peaceful men, women and children is, simply, terrorism."*** Is another false one from amongst the many false statements which are contained in his book.<sup>158</sup>

The brother continues by saying:

***"Once, when news reached the Prophet (Salla 'Llahu 'alayhi wa sallam) that children had been killed in a battle, he exclaimed: "What is with some people that the killing today caused them to go so far as to kill children?!" Someone answered: " O Messenger of Allāh! They are but children of polytheists!"The Prophet (Salla 'Llahu 'alayhi wa sallam) replied:***

***Nay! Verily, the best of you are children of polytheists. Do not kill children! (I say again,) do not kill children! For every soul is born upon a natural (Islāmic) disposition (innocent, monotheistic and good) - until its tongue speaks on its behalf ..."***<sup>159</sup>

***Also, when the Prophet (Salla 'Llahu 'alayhi wa sallam) once passed an idolatress who had fallen during a battle, he denounced her killing, insisting that the woman was not one against whom war was to be fought."***<sup>160</sup>

***Abū Bakr (Radiya 'Llahu 'anhu), the Prophet's closest friend, father-in-law and immediate temporal successor, admonished the Muslim army with the following words:***

***Halt, O people, that I may give you ten rules for your guidance in the battlefield. Do not commit treachery or deviate from the right path. You must not mutilate dead bodies. Neither kill a child, nor a woman, nor an aged man.***

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**Note:** There is a difference of opinion amongst the scholars regarding those disbelievers who approach the Muslim lands while there is the possibility that they did so for the sake of requesting security so that they could enter and the strongest opinion is that they are not attacked because it can not be verified what their intention was. There is also a difference of opinion regarding those who came to the lands of the Muslims assuming that their intention to trade as merchants would be a security for them, and Allāh knows best. However, if they have entered the land of the Muslims or approached it for other than the purpose of requesting the security (*Amān*), then their blood and wealth is permitted and it is to be distributed amongst the Muslims either by the *Imām* or by themselves.

<sup>158</sup> Sadly this isn't the last false statement contained in his book as you'll shortly see!!!

<sup>159</sup> Musnad Ahmad.

<sup>160</sup> Sahīh Bukhārī and Sahīh Muslim.



**Bring no harm to trees, nor burn them, especially those which are fruitful. Slay not any of the enemy's flock, save for your food. You are likely to pass by people who have devoted their lives to monastic services; leave them alone."**  
[End Quote Ben Ādam]

The above mentioned Ahādīth that the brother quotes prove what I've already stated before and that is the Kāfir Muhārib/Kāfir Harbī old men, women, children and those similar to them shouldn't be intentionally killed except for the specific reasons which I've mentioned earlier. Also in these Ahādīth and others besides them there is nothing that contradicts what I've already said that those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) can be killed because there exists no 'Ahd ul Amān (Covenant of Security) between them and the Muslims and this has been proven via textual evidences as well as statements from the scholars of the Salaf.

With regards to Kāfir Muhārib/Kāfir Harbī women and children then there are many scholars who state that the prohibition of killing them is due to the fact they form part of the War-Booty and that the Muslims obtain benefits from them staying alive and by actually killing them the Muslims will be deprived from attaining these benefits, also they unanimously state that even if they are intentionally killed then there is nothing upon the killer in terms of Compensation, Punishment or Blood-Money and all that is required of them is to seek repentance . Examples of these statements are:

*Imām As-Sarkhasī (Rahimahu 'Llah)* said, "The women, children, insane, and elderly of those who reside in *Dār Al-Harb*- should not be killed... And whosoever kills any from amongst these (people whose killing is prohibited) without having been fought by them- **Then he does not need to give any compensation (kaffārah), nor blood money [let alone getting any punishment]**. And this is because the *kaffārah* and the blood money is only obligatory with regards to sanctity and protection (when it is) *within itself*- and that (sanctity/protection) comes only from the religion (of *Islām*) or the land/state (of *Islām*) – and neither of the two is present in them. **And killing them is only prohibited due to attaining the benefit (i.e. them becoming a property of the Muslims)**; and also due to the absence of the basis which obligates the killing (of a person) - which is fighting [*Muhārabah*], not due to a sanctity [*Āsim*] or value within itself [*Fī Nafsihi*]. And so, it is not obligatory upon this murderer to compensate, nor to pay the blood money. And this is what was pointed out by the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam), when he said, "***They are from them***"- meaning the women and children of the *Mushrikīn* are indeed from amongst the *Mushrikīn*. This means that there is no sanctity for them, nor any value for their inviolability [i.e. within itself]."<sup>161</sup> [End Quote *Imām As-Sarkhasī (Rahimahu 'Llah)*]

*Imām Az-Zayla'ī (Rahimahu 'Llah)* said, "**So if it is permissible to kill the children of the mushrikīn for the benefit [Maslahah] of the Muslims**- then killing their elders is even more worthy of being permissible, if there is a benefit in doing so- such as if they were kings. But if there is no benefit, then they shouldn't be killed unless they fight- in which case they should be killed to repel (their harm)."<sup>162</sup> [End Quote *Imām Az-Zayla'ī (Rahimahu 'Llah)*]

*Imām Al-Kāsānī (Rahimahu 'Llah)* said, "And if any of these whom we have mentioned

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<sup>161</sup> Sharh As-Siyar Al-Kabīr (2741).

<sup>162</sup> Tabyīn Al-Haqā'iq, in Kitāb As-Siyar.



(from women, children, and elderly, etc) that are not permissible to be killed- if any of them are murdered, **then that does not require any blood money, nor compensation (Kaffārah) (it is only required to do) repentance and ask forgiveness from Allāh. And this is because the blood of a kāfir is not valued except if there is a covenant.**<sup>163</sup> [End Quote Imām Al-Kāsānī (Rahimahu 'Llah)]

Imām Ibn Nujaym (Rahimahu 'Llah) said, “And even if someone kills such a person whom it is impermissible to kill, from amongst those whom we have just mentioned [such as women or children, etc]- **then there is nothing obligatory upon him such as blood money, nor compensation (Kaffārah)- except (it is obligatory upon him to do) repentance and ask forgiveness from Allāh. And this is because the blood of a kāfir is not valued except with a covenant- and this is not present.**”<sup>164</sup> [End Quote Imām Ibn Nujaym (Rahimahu 'Llah)]

Shaykh Al-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah) said, “And under **all circumstances, any woman who is a Harbī [is not under Thimmah, nor within any ‘Ahd]- (killing her purposely) does not require any punishment (upon the murderer), nor must any blood money be paid, nor is there any compensation (Kaffārah);** and this is because the Prophet (Salla 'Llahu 'alayhi wa sallam) did not demand any of that from those who killed women in the campaigns. So this is the *difference* from a woman who is under *Thimmah* [in which case those can be demanded from the murderer]. And as for killing the *Harbī* woman who fights- then that is unanimously permissible.”<sup>165</sup> [End Quote Shaykh Al-Islām Imām Ibn Taymiyyah (Rahimahu 'Llah)]

Al-Hāfīth Imām Ibn Hajar (Rahimahu 'Llah) said, quoting Imām At-Tabarānī, “Abū Sa’īd narrated, “*The Messenger (Salla 'Llahu 'alayhi wa sallam) prohibited the killing of women and children*”- and he [At-Tabarānī] commented, “**(Because) they belong to those who conquer (i.e. property of the Mujāhidīn).**”<sup>166</sup> {End Quote Al-Hāfīth Imām Ibn Hajar (Rahimahu 'Llah)]

Imām Ar-Ramlī (Rahimahu 'Llah), said, “And if they [the people of *DārAl-Harb*] use Muslims, or the People of *Thimmah*, as human shields- then they should *not be attacked unless* there is a great necessity (for attacking them regardless of them) – due to the obligation of *respecting their sanctity* of *Īmān* (of the Muslims) and their covenant (of the People of *Thimmah*); And this (prohibition) is **different** from the (prohibition of killing) women and children- **which is specifically because of the safeguarding of the rights of the Ghānimīn (the Mujāhidīn who become the owners of these women and children).**”<sup>167</sup> [End Quote Imām Ar-Ramlī (Rahimahu 'Llah)]

Shaykh Ibn Al-‘Uthaymīn (Rahimahu 'Llah) said, “And as for his [i.e. Prophet’s (Salla 'Llahu 'alayhi wa sallam)] prohibition against killing women and children (of the *kuffār*); then by “women”- its inclusiveness is unrestricted, including those who have reached puberty (and those who have not); and as for “children”- it is the boys who have not yet reached puberty. And *the only reason* for which the Prophet (Salla 'Llahu 'alayhi wa sallam)

<sup>163</sup> Badā’i’ As-Sanā’i’, in Kitāb As-Siyar, “Bayān Man Yahillu Qatluh”.

<sup>164</sup> Al-Bahr Ar-Rā’iq in Kitāb As-Siyar.

<sup>165</sup> As-Sārim Al-Maslūl Pg. 131.

<sup>166</sup> Fat’h Al-Bārī (6/183).

<sup>167</sup> Nihāyat Al-Muhtāj (8/65).

prohibited (killing) women and children become... *For what reason?* **For: enslavement (Riqqah); for slavery (Sabiyy). And if they are killed, then the Muslims will lose much benefit.**<sup>168</sup> [End Quote Shaykh Ibn Al-‘Uthaymīn (Rahimahu ‘Llah)]

Shaykh Al-Islām Imām Ibn Taymiyyah (Rahimahu ‘Llah) said, after mentioning the incident of Usāmah Ibn Zayd (Radiya ‘Llahu ‘anhu) killing a man who professed the *Shahādah*, “It is established that they had killed Muslims, (those) whose killing is not permissible- but along with this, still the Prophet (Salla ‘Llahu ‘alayhi wa sallam) did not kill them (in return), nor did he punish them, nor did he obligate them to pay the blood money, nor compensate for the sake of the killed one; and this is because the killer had a *Ta’wīl* [misinterpretation: thinking that it was permissible to kill on the basis of merely doubting the *Islām* of a person who has not externalized anything nullification of *Islām*]- and this is the opinion of the majority of the scholars, such as Ash- Shāfi’ī and Ahmad, and others. And there are also people who say, “Rather, they had indeed believed, but they did not emigrate”- (meaning) so they have *Al ‘Ismah Al-Mu’tamah*<sup>169</sup>, but not *Al- ‘Ismah Al- Mudhamminah*<sup>170</sup> - **like the category of the women and children of Dār Al-Harb.**”<sup>171</sup> [End Quote Shaykh Al-Islām Imām Ibn Taymiyyah (Rahimahu ‘Llah)]

And Imām Ibn Qudāmah (Rahimahu ‘Llah) said, “As for killing the women and children of *Dār Al-Harb*, **then there is no need for compensation for killing them; and this is because they do not have Faith [Īmān] or covenant [Amān]. And the only reason it is forbidden to kill them is due to the benefit derived from them for the Muslims, by enslaving them and becoming the slaves of the Muslims.** And also similar, is the killing of those whom the *Da’wah* has not yet reached- there is no need for compensating for killing them. And it is for this reason [i.e. because of them having neither *Islām* nor covenant], nothing is required from those who kill them. **So they are similar to those whose killing is permissible [Mubāh].**”<sup>172</sup> [End Quote Imām Ibn Qudāmah (Rahimahu ‘Llah)]

The brother then says:

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<sup>168</sup> The Audio can be downloaded from the following link:

<http://www.binothaimeen.com/sound/snd/a0020/A0020-3B.rm> The statement starts at time frame 28:17.

<sup>169</sup> *Al- ‘Ismah Al-Mu’tamah*: literally “The Protection of Sin” – which means that if this “protection” is transgressed, then the transgressor will be sinful (the sin can be forgiven by making *Tawbah* [repentance] and *Istighfār* [asking Allāh for forgiveness]). But this does not necessarily mean that the transgressor has to pay blood money, nor compensate, nor be punished. And Shaykh Al-Islām has just mentioned the examples of these.

<sup>170</sup> *Al- ‘Ismah Al-Mudhamminah*: literally “The Protection of Requirement” – which means that if transgressed, then the transgressor will be required to either pay blood money, or compensate, or be punished- depending on the exact nature of the crime. Such as killing a Muslim or a *Thimmī* (but keeping in mind the basic rule in the *Sharī’ah*, “A Muslim cannot be killed for the sake of a *kāfir*.”).

<sup>171</sup> Minhāj As-Sunnah (4/453-454).

<sup>172</sup> Al-Mughnī (8/67).

لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

**"Allāh does not forbid you to deal justly and kindly with those who fought not against you on account of religion, nor drove you out of your homes. Verily, Allāh loves those who deal with equity."**<sup>173</sup>

These Islāmic precepts which extol the sanctity of human life ...

النَّفْسَ الَّتِي حَرَّمَ اللَّهُ

**"life, which Allāh has made sacred"**<sup>174</sup>

... are flagrantly violated by to the most vociferous proponents of suicide bombing such as al-Qaeda and other takfiri-jihādis, who almost exclusively encourage and justify the murder of non-combatants, regardless of their religion, age or gender.

ثُمَّ قَسَتْ قُلُوبُكُم مِّن بَعْدِ ذَلِكَ فَهِيَ كَالْحِجَارَةِ أَوْ أَشَدُّ قَسْوَةً وَإِن مِّن الْحِجَارَةِ لَمَا يَتَفَجَّرُ مِنْهُ الْأَنْهَارُ وَإِن مِّنْهَا لَمَا يَشَقَّقُ فَيَخْرُجُ مِنْهُ الْمَاءُ وَإِن مِنْهَا لَمَا يَهْبِطُ مِنْ خَشْيَةِ اللَّهِ وَمَا اللَّهُ بِغَفِلٍ عَمَّا تَعْمَلُونَ

**"Then your hearts became hardened after that, like stones or even harder. For indeed there are stones from which rivers burst forth, and there are some of them that split open and water comes out, and there are some of them that fall down for fear of Allāh. And Allāh is not unaware of what you do."**<sup>175</sup> [End Quote Ben Ādam]

Again the brother brings forth some verses from the Qur'ān, but nowhere does he bring any tafsīr of these verses from the great Mufasirūn from the Salaf. He instead quotes them and gives them his own interpretations and thus alters the meanings of them as I'll now prove **Insha'Allāh**.

The first verse he quotes is:

لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

**"Allāh does not forbid you to deal justly and kindly with those who fought not against you on account of religion, nor drove you out of your homes. Verily, Allāh loves those who deal with equity."**<sup>176</sup>

<sup>173</sup> Sūrah Al-Mumtahinah 60:8.

<sup>174</sup> Sūrah Al-An'am 6:151.

<sup>175</sup> Sūrah Al-Baqarah 2:74.

<sup>176</sup> Sūrah Al-Mumtahinah 60:8.

The brother quotes this verse thinking that it disproves the permissibility of killing those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) and who don't have an 'Ahd ul Amān (Covenant of Security) between them and the Muslims.

And this misconception is simple to refute with the text itself. As Allāh said: “**Allāh does not forbid you to deal justly and kindly...**” which is a removal of blame towards those Muslims who are kind and just to the disbelievers who have not fought them or expelled them from their homes. And it is known by common sense that the one who is not forbidden from doing something is not the same as the one who has been obligated to do something. Therefore, as this verse indicates, the kind treatment of those disbelievers who are not at war and who have not been aggressive towards *Islām* and the Muslims is permissible, and this does not contradict or disprove the permissibility of killing those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) and who don't have an 'Ahd ul Amān (Covenant of Security) between them and the Muslims.

And furthermore, we affirm that the kind treatment and kindness has benefits for the *Da'wah* unto Allāh and for establishing a rapport with those disbelievers whose hearts may receive guidance. And the evidences for this are numerous; notwithstanding the meaning of this verse. However, saying this does not prohibit the blood, wealth and honour of the Kāfir Muhārib/Kāfir Harbī who is a mature male (above the age of puberty) who has no 'Ahd ul Amān (Covenant of Security). And the benefit of this potential *Da'wah* does not make what is essentially permissible to be impermissible.

As for the *Tafsīr* of this verse, then there is a difference of opinion amongst the *Salaf* about who is included in its address; whether it refers to woman and children, family members, and particular tribes or whether it was abrogated altogether by the verses of fighting.

For example, Imām Ibn Kathīr (**Rahimahu 'Llah**) said, “And His statement: **Allāh does not forbid you to deal justly and kindly with those who fought not against you...** In other words, they did not assist in expelling you. In other words, He does not forbid you from being good to the disbelievers who do not fight you in the religion, such as the women and children and the weak ones from them: ...to deal justly and kindly with those... in other words, to be good to them.”<sup>177</sup> [End Quote Imām Ibn Kathīr (**Rahimahu 'Llah**)]

And Imām Al-Qurtubī (**Rahimahu 'Llah**) said, “This verse is a concession from Allāh, the Most High, in keeping ties with those who did not take the believers as enemies and did not fight them. Ibn Zayd said, ‘This was in the beginning of *Islām*, (to be applied) during the non hostilities while leaving the command to fight, but then later, it was abrogated.’ Qatādah said: **...then kill the Mushrikīn wherever you find them...**<sup>178</sup> abrogated this.’ And it is said that this ruling had a specific reason, which was the treaty (*Suhl*), but that when the treaty concluded after the Conquest of Makkah, then the ruling became abrogated, yet its inscription (in the Book) continued to be recited. And it is said that it is restricted to the successors of the Prophet (**Salla 'Llahu 'alayhi wa sallam**) and those whom between him and them was a

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<sup>177</sup> The *Tafsīr* of this verse by Imām Ibn Kathīr (**Rahimahu 'Llah**) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=60&tid=53502>

<sup>178</sup> **Sūrah At-Tawbah 9:5.**

covenant (‘*Ahd*’), which he did not break. This was stated by Al-Hasan. Al-Kalbī said, ‘They are (the tribes of) Khuzā’ah and Banī Al-Hārith Ibn ‘Abd Munāf.’ and Abū Sālih said this and also said, ‘They are Khuzā’ah (only).’ And Mujāhid said, ‘It is specified to those who believed but did not make *Hijrah*.’ And it is said that what is meant by it is the women and children, because they are from those who do not fight. Therefore, Allāh gave permission to be good towards.”<sup>179</sup> [End Quote Imām Al-Qurtubī (**Rahimahu 'Llah**)]

And Imām At-Tabarī (**Rahimahu 'Llah**) said, “So some of them (i.e. the *Salaf*) said that those who are meant by it were those in Makkah who believed, but did not make *Hijrah*. So Allāh gave permission to the believers to have kindness and righteous conduct towards them...” – until he said, “And others said that who is meant by it are those other than the people who did not make *Hijrah*...” until he said, “And others said, instead it means the *Mushrikīn* of Makkah who did not fight the believers and did not expel them from their homes.”<sup>180</sup> [End Quote Imām At-Tabarī (**Rahimahu 'Llah**)]

And although the *Salaf* disagreed about who was addressed with this verse, even if we conclude that it applies generally to any Muslim and for all times, then this still does not contradict the permissibility of killing those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) and who don’t have an ‘*Ahd ul Amān* (Covenant of Security) between them and the Muslims. Because stating that it is permissible to be kind to the disbelievers who have not been aggressive towards *Islām* or hostile towards the Muslims, does not necessitate the unlawfulness of their blood, wealth or honour as a basic rule (*Asl*). Rather, what this indicates is that leaving the shedding of their blood and seizure of their wealth is a permissible action and this is not disputed.

And the examples from the *Sunnah* where the Messenger of Allāh has demonstrated kindness and patience with those disbelievers who did not harm him – and even those examples where he did so with the disbelievers who were aggressive towards *Islām* – do not change the ruling of the lawfulness of the blood, wealth and honour, because all these examples prove is the permissibility of kindness towards them, and not the impermissibility of its opposite.

The brother then says the following and quotes the verse:

“These **Islāmic** precepts which extol the sanctity of human life ...

النَّفْسَ الَّتِي حَرَّمَ اللَّهُ

“life, which **Allāh** has made sacred”<sup>181</sup>,”

... are flagrantly violated by to the most vociferous proponents of suicide bombing such as al-Qaeda and other takfiri-jihādīs, who almost exclusively encourage and justify the murder of non-combatants, regardless of their religion, age or gender.

<sup>179</sup> Tafsīr Al-Qurtubī, Vol. 18/53-54.

<sup>180</sup> Tafsīr At-Tabarī.

<sup>181</sup> Sūrah Al-An’am 6:151.

ثُمَّ قَسَتْ قُلُوبُكُمْ مِّنْ بَعْدِ ذَلِكَ فَهِيَ كَالْحِجَارَةِ أَوْ أَشَدُّ قَسْوَةً وَإِنَّ مِنَ الْحِجَارَةِ لَمَا يَتَفَجَّرُ مِنْهُ الْأَنْهَارُ وَإِنَّ مِنْهَا لَمَا يَشَقَّقُ فَيَخْرُجُ مِنْهُ الْمَاءُ وَإِنَّ مِنْهَا لَمَا يَهْبِطُ مِنْ خَشْيَةِ اللَّهِ وَمَا اللَّهُ بِغَفِلٍ عَمَّا تَعْمَلُونَ

“Then your hearts became hardened after that, like stones or even harder. For indeed there are stones from which rivers burst forth, and there are some of them that split open and water comes out, and there are some of them that fall down for fear of Allāh. And Allāh is not unaware of what you do.”<sup>182</sup> [End Quote Ben Ādam]

So what the brother has attempted to do by making such a statement and quoting this verse is to dupe the readers into thinking that the blood, wealth and honour of all Human beings is unlawful (*Harām*) unless there is a specific evidence, which would permit it, but what he has really done is he has made the sanctity of disbelievers' blood equal to the blood of the Muslim. For this, he has used the verse:

وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ

“And kill not the soul whom Allāh has forbidden, except for a just cause...”<sup>183</sup>

So what he has tried to do is dupe the readers into thinking that this verse proves that the blood is unlawful (*Harām*) generally as a rule, while the specific exception to that would be when there is an evidence to show that it has become lawful (*Halāl*); “...except for a just cause...”

And the refutation of this comes from different points. Firstly, the evidence from the *Sharī'ah* (as pointed out earlier) indicates that the blood is lawful prior to the entrance into *Islām*, or while there is no ‘Ahd ul Amān (Covenant of Security) to protect them. And the evidence for that is specific whereas this verse is general. So the generality of this verse does not abrogate or nullify the ruling of permissibility as indicated by specific evidences. Secondly, the verse does not indicate any criteria for what would qualify “...a just cause...” which makes the killing lawful (*Halāl*) and this adds to its generality. Thirdly, the interpretations of the people of *Tafsīr* have explained the ruling of impermissibility of killing – as it relates to this verse – as applying to the believers and to those disbelievers who have ‘Ahd ul Amān (Covenant of Security), i.e. *Mu'āhadīn* and they have indicated some of the just causes, which have specific evidences from the *Qur'ān* and *Sunnah*.

For example, Imām Ibn Kathīr, (**Rahimahu 'Llah**), said: “**And kill not the soul whom Allāh has forbidden, except for a just cause...**” And this is from that which He, Blessed be Him, the Most High, clearly stated the forbiddance by means of reaffirmation, otherwise it is included in the forbiddance of the *Fawāhish* (i.e. all kinds of illicit evil actions), that which is open from it and that which is hidden, as it has come in the two *Sahīhs* from Ibn Mas'ūd, (**Radiya 'Llahu 'anhu**), that he said: ‘The Messenger of Allāh (**Salla 'Llahu 'alayhi wa**

<sup>182</sup> Sūrah Al-Baqarah 2:74.

<sup>183</sup> Sūrah Al-An'am 6:151.



sallam) said, *'The blood of a Muslim individual who bears witness that there is nothing worthy of worship except Allāh and that I am the Messenger of Allāh is not permitted except in one of three; the fornicator who has been married, and the soul for the soul and the abandoner of his religion; the one who leaves the Jamā'ah (i.e. the general body of the Muslims).'*' And in the phrasing of Muslim: *'By the One who there is no one worthy of worship other than Him, the blood of a Muslim man...'* – and he mentioned it (similarly). Al-A'mash said: 'I narrated it to Ibrāhīm, then he narrated to me from Al-Aswad from 'Ā'ishah likewise.' And Abū Dāwūd and An-Nasā'ī narrated from 'Ā'ishah, (*Radiya 'Llahu 'anhu*), that the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) said: *'The blood of a Muslim individual is not permitted except in one of three branches; a 'protected' (i.e. married) fornicator, who is stoned and a man who intentionally murdered, then he is to be killed, and a man who leaves Islām and wages war against Allāh and His Messenger, then he is to be killed or crucified or expelled from the land.'* And this is the phrasing of An-Nasā'ī. And from *Amīr Al-Mu'minīn*, 'Uthmān Ibn 'Affān (*Radiya 'Llahu 'anhu*), that he said while surrounded (by his would-be killers): 'I heard the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) saying, *'The blood of a Muslim individual is not permitted except in one of three; a man who disbelieves after his Islām, or commits fornication after 'protection' (i.e. marriage) or killed a soul for other than a soul.'* So by Allāh, I did not commit fornication in *Jahiliyyah*, nor in *Islām* nor did I wish for any religion other than it, after Allāh guided me, nor did I kill a soul. So for what are you killing me?' – Narrated by the *Imām*, Ahmad and At-Tirmithī and An-Nasā'ī and Ibn Mājah. And At-Tirmithī said, 'This *Hadīth* is *Hasan*.' And the forbiddance and the deterrence and the threat has come regarding the killing of the Mu'āhad, and he is the Musta'man (i.e. one who has been given an Amān) from the people of war, as Al-Bukhārī narrated from 'Abdullāh Ibn 'Umar (*Radiya 'Llahu 'anhu*) from the Prophet (Salla 'Llahu 'alayhi wa sallam), *Marfū'* (i.e. elevated in the chain of narration): *'Whoever kills a Mu'āhad, then he shall not smell the fragrance of Jannah, and verily, it is found from the travel distance of forty years.'* And from Abī Hurayrah (*Radiya 'Llahu 'anhu*), from the Prophet (Salla 'Llahu 'alayhi wa sallam) that he said: *'Whoever kills a Mu'āhad who has the protection of Allāh and the protection of His Messenger, then he has broken the Thimmah of Allāh. So he shall not smell the fragrance of Jannah, and verily its fragrance is found from the travel distance of seventy years.'* – Narrated by Ibn Mājah and At-Tirmithī, who said, '*Hasan Sahīh*.'<sup>184</sup> [End Quote Imām Ibn Kathīr, (*Rahimahu 'Llah*)]

So look to how Ibn Kathīr (*Rahimahu 'Llah*) explained the ruling and restricted the impermissibility to the Muslim and to those Kuffār who have a 'Ahd ul Amān (Covenant of Security), which makes their blood unlawful. And look to how he, (*Rahimahu 'Llah*), used specific evidences for the permissibility of killing Muslims (i.e. fornication, apostasy, murder) whereas he mentioned no specific restriction upon the disbelievers, other than those who are *Mu'āhadīn*.

And the words of Imām Al-Qurtubī, (*Rahimahu 'Llah*), are even more clear, when he said: "The أ (Alif) and the ل (Lām) in النَّفْس ("...the soul..."), defines the category, such as their saying, 'The people were destroyed by the love of the *Dirham* and *Dīnār*,' and likewise is:

<sup>184</sup> The Abridged Tafsīr of this verse by Imām Ibn Kathīr (*Rahimahu 'Llah*) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=6&tid=17119>

**‘Verily, the man was created very impatient.’**<sup>185</sup> Do you not see his, Glory be to Him, saying: **‘Except those devoted (Al-Musallīn) to Salāt (prayers).’**<sup>186</sup> And likewise is His saying: **‘By the time, verily the man is in great loss...’**<sup>187</sup> cause He said: **‘Except those who believed.’**<sup>188</sup> And this verse forbade the killing of the forbidden soul; **the believing one or the Mu’āhad one, except in the right which obligates its killing**. The Messenger of Allāh (Salla ‘Llahu ‘alayhi wa sallam) said: *‘I was ordered to fight the people until they say ‘Lā ilāha ill-Allāh’, so whoever says, ‘Lā ilāha ill-Allāh’, then his blood and his self is forbidden except in its right and their reckoning is with Allāh.’* And this ‘right’ is many kinds. From it is the withholding of the Zakāt and abandoning the prayer, and the Siddīq (i.e. Abū Bakr, (Radiya ‘Llahu ‘anhu) fought those who withheld the Zakāt and in the revelation: **‘...then if they repent and establish the prayer and pay the Zakāt then open their path...’**<sup>189</sup> And this is clear. And he (Salla ‘Llahu ‘alayhi wa sallam) said, *‘The blood of a Muslim is not permitted except in one of three; the fornicator who has been married, and the soul for the soul and the abandoner of his religion; the one who leaves the Jamā’ah.’* And he (Salla ‘Llahu ‘alayhi wa sallam), said: *‘If two Khalīfahs are given Bay’ah (oath of allegiance) to; then kill the later of the two.’* – Narrated by Muslim. And Abū Dāwūd narrated from Ibn ‘Abbās, who said, ‘The Messenger of Allāh (Salla ‘Llahu ‘alayhi wa sallam) said, *‘Whoever you find performing the action of the people of Lūt, then kill the performer and the one who it is being performed to.’* And the clarification shall come in Al-‘Arāf (regarding that). And in the revelation: **‘Verily, the recompense of those who wage war against Allāh and His Messenger and create mischief in the Earth, then he is killed.’** – the verse.<sup>190</sup> And He said: **‘And if two groups of the believers fight...’** – the verse.<sup>191</sup> likewise is the one who divides the rank of the Muslims and opposes the Imām of their Jamā’ah (community) and divides their word and makes mischief in the Earth by pillaging the people and the money and transgressing against the Sultān (proper authority) and refusing his rule is to be killed. Therefore, this is the meaning of His saying: **‘...except for a just cause...’** and He, (Salla ‘Llahu ‘alayhi wa sallam), said: *‘The believers’ blood is equal and their protection includes the least of them (in numbers and status). A Muslim is not killed due to a disbeliever nor one who has a covenant (‘Ahd) during his covenant, and the people of two religions do not inherit (from one another).’* And Abū Dāwūd and An-Nasā’ī narrated from Abī Bakrah, that he said: ‘I heard the Messenger of Allāh (Salla ‘Llahu ‘alayhi wa sallam) saying, *‘Whoever kills a Mu’āhad, in other than his time (when it is allowed to kill him) then Allāh forbids the Jannah upon him.’* And in another narration from Abī Dāwūd that he (Salla ‘Llahu ‘alayhi wa sallam) said, *‘Whoever kills a man from the people of Thimmah, he shall not find the fragrance of Jannah. And verily, its fragrance is found from the travel distance of seventy years.’* In Al-Bukhārī in this Hadīth: *‘...and verily, its fragrance is found from the travel distance of forty years.’* He narrated it from the Hadīth of ‘Abdullāh Ibn Al-‘Amr Ibn Al-‘Ās.<sup>192</sup> [End Quote Imām Al-Qurtubī, (Rahimahu ‘Llah)]

<sup>185</sup> Sūrah Al-Ma’ārij 70:19.

<sup>186</sup> Sūrah Al-Ma’ārij 70:21.

<sup>187</sup> Sūrah Al-‘Asr 103:1-2.

<sup>188</sup> Sūrah Al-‘Asr 103:3.

<sup>189</sup> Sūrah At-Tawbah 9:5.

<sup>190</sup> Sūrah Al-Mā’idah 5:33.

<sup>191</sup> Sūrah Al-Hujurāt 49:9.

<sup>192</sup> Tafsīr Al-Qurtubī, Vol. 7/118-120.

So look to the explanation of Imām Al-Qurtubī, (**Rahimahu 'Llah**) and how he emphasised that the phrasing was general to the human race (i.e. the soul) in the beginning and then how he only held the prohibition upon the Muslim and the disbeliever who has a 'Ahd ul Amān (Covenant of Security), i.e. The *Mu'āhad*. And this was made clear when he said, **“And this verse forbade the killing of the forbidden soul; the believing one or the *Mu'āhad* one, except in the right which obligates its killing.”** And look to how he, (**Rahimahu 'Llah**), used specific examples – just as Ibn Kathīr (**Rahimahu 'Llah**) did – of when it is permissible to kill the Muslim, such as withholding the *Zakāt*, and abandoning the prayer, the married fornicator, the murderer, the apostate, the homosexual and the second *Khalīfah* whereas he only held this prohibition – as it relates to the killing of the disbelievers – upon the *Mu'āhad*. And this is consistent with the basic rule (*Asl*) of the blood of the disbelievers as we have already pointed out.

And lastly, Imām At-Tabarī, (**Rahimahu 'Llah**), said: “The saying regarding the interpretation of His, the Most High’s, statement: **‘And kill not anyone whom Allāh has forbidden, except for a just cause. That is what He advised you with in hopes that you will comprehend.’** He, may His remembrance be High, says: **‘Say: Come so that I will recite upon you that which your Lord forbade upon you, that you should not associate anything with him.’**–“**And kill not anyone whom Allāh has forbidden...” meaning the soul which Allāh forbade its killing; the believing or the *Mu'āhad* soul.** And His saying: **‘...except for a just cause...’** meaning, in that which its killing is permitted. From them (i.e. the just causes) is murdering a soul; so he (i.e. the murderer) is to be killed out of retribitional killing (*Qisās*), or if he commits fornication while he has been ‘protected’ (i.e. married); so he is to be stoned, or that he apostates from his true religion; so he is executed. So that is the ‘just cause’ which Allāh, may His praise be magnificent, permitted the killing of a soul which He forbade its killing upon the believers.”<sup>193</sup> [End Quote Imām At-Tabarī, (**Rahimahu 'Llah**)]

So look to how Imām At-Tabarī, (**Rahimahu 'Llah**), explained it the same as both Imām Ibn Kathīr and Imām Al-Qurtubī and restricted the prohibition to the believer and the disbeliever who has a 'Ahd ul Amān (Covenant of Security). And that came in his saying, **“...meaning the soul which Allāh forbade its killing; the believing or the *Mu'āhad* soul.”** And look to how he held the phrase **“...just cause...”** as those cases where a Muslim’s blood has been permitted due to a specific evidence, while being silent regarding the blood of the disbelievers, except in mentioning the prohibition of those who are *Mu'āhad*.

And Shaykh ‘Abdur-Rahmān As-Sa’dī, (**Rahimahu 'Llah**), made it clear when he said: **“And kill not anyone whom Allāh has forbidden, except for a just cause.” It is the Muslim soul, from male and female and young and old and righteous and wicked, and the disbelieving one which is protected with the covenant ('Ahd) and the promise (of safety).”**<sup>194</sup> [End Quote Shaykh ‘Abdur-Rahmān As-Sa’dī, (**Rahimahu 'Llah**)]

And all of what has come in the explanation of this verse, by the elite scholars of *Tafsīr*, is consistent with what I’ve mentioned earlier, which indicates the permissibility of the blood, wealth and honour of those Kāfir Muhārib/Kāfir Harbī who are mature males (above the age

<sup>193</sup> Tafsīr At-Tabarī.

<sup>194</sup> Taysīr Al-Karīm Ar-Rahmān, Page 242.

of puberty) – and this is the basic rule (*Asl*) – while showing the prohibition of the blood, wealth and honour of the disbelievers when they are under a ‘Ahd ul Amān (Covenant of Security) – and this is the exception to the basic rule.

And finally, the refutation of this misconception lays in the fact that the reversal of this rule seeks to make the blood, wealth and honour of the disbelievers at the same level of sanctity as that of the Muslims. This is because, if we say that the basic rule of the blood, wealth and honour of the Muslim is that it is unlawful (*Harām*), except with specific evidences – which the brother would surely agree to – then holding this rule similarly upon the disbelievers makes them equal with respect to the ruling upon their blood and wealth. And this is a dangerous misconception, which is clearly refuted by evidences of the *Sharī’ah*. Allāh, the Most High, said:

أَفَمَنْ كَانَ مُؤْمِنًا كَمَنْ كَانَ فَاسِقًا لَّا يَسْتَوُونَ

**“Is then he who is a believer like he who is Fâsiq (disbeliever and disobedient to Allāh)? Not equal are they.”<sup>195</sup>**

And He, the Most High, said:

وَمَا يَسْتَوِي الْأَعْمَىٰ وَالْبَصِيرُ وَالَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ وَلَا الْمُسِيءُ قَلِيلًا مَّا تَتَذَكَّرُونَ

**“And not equal are the blind and those who see, nor are (equal) those who believe, and do righteous good deeds, and those who do evil (i.e. disbelievers). Little do you remember!”<sup>196</sup>**

And the Messenger of Allāh (**Salla 'Llahu 'alayhi wa sallam**) said: **“A Muslim is not killed due to a disbeliever,”<sup>197</sup>** which indicates the sanctity of the Blood of a Muslim over his disbelieving counterpart and the inequality between the two. And this sufficient for a refutation of the this misconception or doubt (*Shubhah*) that the brother is trying to dupe the readers into believing. So in reality it is this brother who is flagrantly violating the Islāmic Precepts by causing equality between the blood, wealth and honour of the Monotheistic Muslim Believers and the Polytheistic Kāfir Muhārib/Kāfir Harbī. And thus the subsequent verse is more fitting to be applied upon him due to his rejection of the textual evidence and the statements of the scholars proving this point.

<sup>195</sup> Sūrah As-Sajdah 32:18.

<sup>196</sup> Sūrah Ghāfir 40:58.

<sup>197</sup> Refer to Sahīh al-Bukhārī Hadīths #111 & 6915 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*).

ثُمَّ قَسَتْ قُلُوبُكُمْ مِّنْ بَعْدِ ذَلِكَ فَهِيَ كَالْحِجَارَةِ أَوْ أَشَدُّ قَسْوَةً وَإِنَّ مِنَ الْحِجَارَةِ لَمَا يَتَفَجَّرُ مِنْهُ الْأَنْهَارُ وَإِنَّ مِنْهَا لَمَا يَشَقَّقُ فَيَخْرُجُ مِنْهُ الْمَاءُ وَإِنَّ مِنْهَا لَمَا يَهْبِطُ مِنْ خَشْيَةِ اللَّهِ وَمَا اللَّهُ بِغَفِلٍ عَمَّا تَعْمَلُونَ

*“Then your hearts became hardened after that, like stones or even harder. For indeed there are stones from which rivers burst forth, and there are some of them that split open and water comes out, and there are some of them that fall down for fear of Allāh. And Allāh is not unaware of what you do.”<sup>198</sup>*

The brother then finishes off the chapter by saying:

**“Although the most audacious and spectacular of all terrorist atrocities occurred in North America on September 11, 2001, an arguably more abhorrent and sadistic outrage was executed in the North Caucasus on September 1, 2001. The horrific suicidal siege of Beslan School Number One in North Ossetia resulted in the death of over 330 hostages, including 186 children, many if not most of them Muslim.**

وَمَنْ يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا

**“And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the Wrath and the Curse of Allāh are upon him, and a great punishment is prepared for him.”<sup>199</sup>**

The Beslan outrage was a decidedly wicked crime as it was simultaneously mass murder, a targeting of the innocent, a misplacement of responsibility, a debasing of the institute of Jihād, a blight upon the already damaged image of Islām and a propaganda gift for its enemies.

Granted, the child victims of Beslan account for but a fraction of the many thousands of Chechen children killed during the Russo-Chechen wars, and it may well be the case that those who perpetrated the Beslan siege were brutalised relatives of some of those slaughtered children or, as the late Chechen President Aslan Maskhadov described them: *‘Madmen driven out of their senses by Russian acts of brutality.* “But, regardless, the act was and remains an intolerable cruelty against innocents and an abomination against Islām.” [End Quote Ben Ādam]

The brother mentions an incident which the Kuffār refer to as **“The Beslan School Hostage Crisis”<sup>200</sup>**. However he doesn’t make a good start as he begins by getting the date wrong (one seems to wonder if there is actually anything which is correct in this book of his??). The actual date of the event was in fact 1 September 2004 and not 2001!!! He then goes on to

<sup>198</sup> Sūrah Al-Baqarah 2:74.

<sup>199</sup> Sūrah an-Nisā' 4:93.

<sup>200</sup> Some details of this can be found out at the following link:

[http://en.wikipedia.org/wiki/Beslan\\_school\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Beslan_school_hostage_crisis)

falsely claim that many if not most of the children who died in the incident were actually Muslims, which again is totally false given that North Ossetia's population<sup>201</sup> is predominately Christian with the exception of a few Muslims.

Also another important bit of information which the brother has failed to mention is that according to many reports the deaths of all the children were as a result of over excessive force employed by the Russians themselves and not as a result of the Chechen Mujāhideen who as it has been widely reported didn't even kill a single child during the duration of this siege.<sup>202</sup>

With regards to the Islāmic Ruling on this then as mentioned earlier on in this section with regards to the Kāfir Muhārib/Kāfir Harbī who are mature males (above the age of puberty) then it is permissible to spill their blood, seize their wealth **and capture their women and children** due to the fact that there exists no 'Ahd ul Amān (Covenant of Security) between them and the Muslims. Also as mentioned before the Russians clearly fall into this category which means the above clearly applies to them. So taking this into consideration there is absolutely nothing wrong in taking their women and children as captives and using them in order to negotiate some sort of Peace Agreement. This is further highlighted in the following Hadīth narrated in Sahīh Al-Bukhārī in which the Prophet (**Salla 'Llahu 'alayhi wa sallam**) wanted to attack and use the women and offspring of the Kuffār as a means of weakening them and putting them under pressure and thus causing a division between the Quraysh and their allies.

Narrated Al-Miswar bin Makhrama and Marwān bin Al-Hakam (**Radiya 'Llahu 'anhum**): (one of them said more than his friend): The Prophet set out in the company of more than one-thousand of his companions in the year of Al-Hudaibiya, and when he reached Dhul-Hulaifa, he garlanded his Hadi (i.e. sacrificing animal), assumed the state of Ihram for 'Umra from that place and sent a spy of his from Khuza'a (tribe). The Prophet proceeded on till he reached (a village called) Ghadir-al-Ashtat. There his spy came and said, "*The Quraysh*

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<sup>201</sup> Some details of this can be found at the following link:

[http://en.wikipedia.org/wiki/North\\_Ossetia-Alania](http://en.wikipedia.org/wiki/North_Ossetia-Alania)

Notice how under the heading 'Ethnic Groups' it clearly states that the population is predominately Christian with a Muslim minority. Also another important fact that the brother has failed to mention is that in 1992 the North Ossetian Christians were actively involved in ethnically cleansing and massacring the Ingushetian Muslims. Details of this can be found at the following link: [http://en.wikipedia.org/wiki/Ossetian-Ingush\\_conflict](http://en.wikipedia.org/wiki/Ossetian-Ingush_conflict)

And that during this conflict they would ruthlessly massacre the Ingushetian Muslims using Beslan School Number One as an internment camp for their brutal executions. Some details of this can be found at the following link:

[http://en.wikipedia.org/wiki/Beslan\\_school\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Beslan_school_hostage_crisis)

Under the heading 'Background', so again the brother's claim that "*The horrific suicidal siege of Beslan School Number One in North Ossetia resulted in the death of over 330 hostages, including 186 children, many if not most of them Muslim*". Is yet another statement of falsehood and an example of the many lies contained in this book of his!!!

<sup>202</sup> This information can be found by accessing the following link:

[http://en.wikipedia.org/wiki/Beslan\\_school\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Beslan_school_hostage_crisis)



(infidels) have collected a great number of people against you, and they have collected against you the Ethiopians, and they will fight with you, and will stop you from entering the Ka'ba and prevent you." The Prophet said, **"O people! Give me your opinion. Do you recommend that I should destroy the families and offspring of those who want to stop us from the Ka'ba?"**<sup>203</sup> *If they should come to us (for peace) then Allāh will destroy a spy from the pagans, or otherwise we will leave them in a miserable state."* On that Abū Bakr said, "O Allāh Apostle! You have come with the intention of visiting this House (i.e. Ka'ba) and you do not want to kill or fight anybody. So proceed to it, and whoever should stop us from it, we will fight him." On that the Prophet said, ***"Proceed on, in the Name of Allāh!"***<sup>204</sup>

It must be noted that in the above mentioned Hadīth the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) sought advise from his Companions about this and that it is totally unimaginable that he would ever seek their advise regarding a matter which was prohibited, rather he would only seek advice with regards to those matters which were permissible, hence as stated above it is completely permissible to capture the Kāfir Muhārib/Kāfir Harbī women and children and use them in order to negotiate some sort of Peace Agreement etc.

So now that the above has been clarified what needs to be ascertained is what were the Motives or Demands for the Beslan School Siege. The following is a letter written by the Former Leader of the Chechen Mujāhideen Shamil Basayev (**Rahimahu 'Llah**) to President Putin clearly stating the motives and demands and how the siege was only taking place so that a Peace Treaty could be agreed after which all hostages would be released and their would be a cease of hostiles provided that these reasonable demands were met. The letter reads: -

***"From Allāh's slave Shamil Basayev to President Putin. Vladimir Putin, it wasn't you who started this war. But you can finish it if you have enough courage and determination of de Gaulle. We offer you a sensible peace based on mutual benefit by the principle— independence in exchange for security. In case of troops withdrawal and acknowledgement of independence of Chechen Republic of Ichkeria, we are obliged not to make any political, military, or economic treaties with anyone against Russia, not to accommodate foreign military bases on our territory even temporarily, not to support and not to finance groups or organizations carrying out a military struggle against RF, to be present in the united***

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<sup>203</sup> So according to the clear words used by the brother in this chapter it would imply that the suggestion made by The Prophet (Salla 'Llahu 'alayhi wa sallam) in which he said, **"O people! Give me your opinion. Do you recommend that I should destroy the families and offspring of those who want to stop us from the Ka'ba?"** Was one that was atrocious, abhorrent, sadistic, outrageous, decidedly wicked, criminal, an attempt of mass murder, a targeting of the innocent, a misplacement of responsibility, a debasing of the institute of Jihād, a blight upon the already damaged image of Islām, a propaganda gift for its enemies and an act of intolerable cruelty against innocents and an abomination against Islām. And Allāh's refuge is sought from the ignorant and false words of this brother!!!

<sup>204</sup> Refer to Sahīh al-Bukhārī Hadīths #4178 & 4179 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*). Similar has been narrated in Musnad Imām Ahmad Hadīth #18166, Al-Bayhaqī (9/218), An-Nasā'ī in "Al-Kubrā" (5/170), 'Abdur-Razzāq (5/330), At-Tabarānī in "Al-Kabīr" (20/10), Ibn Abī Shaybah (7/387). Also refer to "Zād Al-Ma'ād" by Ibn al Qayyim under the chapter of "The Pact of Hudaibiyah".

*ruble zone, to enter CIS. Besides, we can sign a treaty even though a neutral state status is more acceptable to us. We can also guarantee a renunciation of armed struggle against RF by all Muslims of Russia for at least 10 to 15 years under condition of freedom of faith. We are not related to the apartment bombings in Moscow and Volgograd apartment bombings in Moscow and Volgograd, but we can take responsibility for this in an acceptable way. The Chechen people are leading a nation-liberating struggle for its freedom and independence, for its self-protection rather than for destruction or humiliation of Russia. We offer you peace, but the choice is yours. Allāhu Akbar”*  
*Signature 30 August*

It was even reported that later Shamil Basayev (**Rahimahu 'Llah**) gave President Putin another more lenient option where if he submitted a letter of resignation, the Mujāhideen would release all the children and return back to Chechnya<sup>205</sup>.

So bearing all this in mind it can be said that it was actually President Putin who caused the death of all these children due to his arrogance of not accepting the very simple and reasonable demands and for instead choosing to use excessive force which resulted in the deaths of all those involved. What is also well known throughout this whole incident is that the Chechen Mujāhideen didn't even kill a single child. If only President Putin had exercised the same humility and acceptance of peace as displayed by his compatriot Former Russian Prime Minister Viktor Chernomyrdin who nine years earlier in 1995 in what the Kuffār refer to as “**The Budyonnovsk Hospital Hostage Crisis**”<sup>206</sup> swiftly agreed a peace treaty with Shamil Basayev (**Rahimahu 'Llah**) and thus secured the release of all remaining hostages and a cessation of hostilities. This can be seen in the following letter addressed from Former Russian Prime Minister Viktor Chernomyrdin to Shamil Basayev (**Rahimahu 'Llah**): -

*Statement of the Government of the Russian Federation.*

*To release the hostages who have been held in Budenovsk, the Government of Russian Federation:*

- 1. Guarantees an immediate cessation of combat operations and bombings in the territory of Chechnya from 05 AM, 19 June 1995. Along with this action, all the children, women, elderly, sick and wounded, who have been taken hostage, should be released.*
- 2. Appoints a delegation, authorized to negotiate the terms of the peaceful settlement of conflict in Chechnya, with V. A. Mihailov as a leader and A. I. Volsky as a deputy. Negotiations will start immediately on the 18th June 1995, as soon as the delegation arrives in Grozny. All the other issues, including a question of withdrawal of the armed forces, will be peacefully resolved at the negotiating table.*
- 3. After all the other hostages are released, will provide Sh. Basayev and his group with transport and secure their transportation from the scene to Chechen territory.*
- 4. Delegates the authorised representatives of the Government of the Russia Federation A. V. Korobeinikov and V. K. Medvedickov to deliver this Statement to Sh. Basayev.*

<sup>205</sup> This can be found by accessing the link:

[http://en.wikipedia.org/wiki/Beslan\\_school\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Beslan_school_hostage_crisis) under the heading ‘Motives and Demands’.

<sup>206</sup> Some details of this can be found out at the following link:

[http://en.wikipedia.org/wiki/Budyonnovsk\\_hospital\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Budyonnovsk_hospital_hostage_crisis)

*Prime Minister of the Russian Federation*

*V. S. Chernomirdin*

*18.06.95*

*20:35<sup>207</sup>*

So from the above it is clear that the following agreement of peace by the Former Prime Minister of Russia is what resolved this situation and lead to the release of all remaining hostages and the cessation of Hostilities. Whereas the rejection of peace and the use of excessive force by President Putin is what lead to the death of all the hostages and the continuation of Hostilities.

The brother admits in his last paragraph that the child victims of Beslan only account for a tiny fraction of Chechen children who have been brutally killed at the hands of the Russians, and that there is also a distinct possibility that many of those who carried out the siege were in fact surviving relatives of some of the slaughtered children. He however maintains that despite all of this the siege should be regarded as something which is intolerable, cruel and an abomination etc. As has been clarified above the act of capturing the women and children of the Kuffār Muhāribūn/Kuffār Harbūn is something which is permissible in Islām, so is using them as a means of agreeing a peace treaty etc. Also it has been clarified that all throughout the siege the Chechen Mujāhideen didn't even kill a single child rather it was President Putin who killed all the hostages due to his arrogance, rejection of peace and insistence of War and by recklessly using excessive force which resulted in the loss of those involved in this incident. But even if this wasn't the case and what the brother is saying is true (which it isn't!!!) and that the Chechen Mujāhideen took over the school and ruthlessly killed each and every woman and child then this would be in conformity with the fatwā issued by the notorious, extremist, militant, terrorist cleric who goes by the name of **Muhammad Ibn Sālih Al-'Uthaymīn** who said the following:

Shaykh: "Secondly it is forbidden to kill women and children in the state of war, **but if they do that to us – By killing our women and children do we do the same? As it seems it is permissible for us to kill their women and children.....Because this breaks the hearts of the enemy and their humiliation**<sup>208</sup>, because of the generality of the verse:

فَمَنْ اعْتَدَىٰ عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اعْتَدَىٰ عَلَيْكُمْ

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<sup>207</sup> This can be found by accessing the link:

[http://en.wikipedia.org/wiki/Budvonnovsk\\_hospital\\_hostage\\_crisis](http://en.wikipedia.org/wiki/Budvonnovsk_hospital_hostage_crisis) under the heading 'Resolution of the crisis'.

<sup>208</sup> So according to what the brother has mentioned earlier the Shaykh's (Rahimahu 'Llah) saying, **"But if they do that to us – By killing our women and children do we do the same? As it seems it is permissible for us to kill their women and children.....Because this breaks the hearts of the enemy and their humiliation."** Is a saying which is: atrocious, abhorrent, sadistic, outrageous, decidedly wicked, criminal, an attempt of mass murder, a targeting of the innocent, a misplacement of responsibility, a debasing of the institute of Jihād, a blight upon the already damaged image of Islām, a propaganda gift for its enemies and an act of intolerable cruelty against innocents and an abomination against Islām.

*“Then whoever transgresses against you, you transgress likewise against them.”*<sup>209</sup>

If they rape our women then do we do the same to them? No, why? Because it is specifically forbidden, and it is not permissible for us to commit it. It is not forbidden in respect to their rights, but because it is made forbidden specifically. So it is forbidden for us to do such actions. But if the war booty is being divided and one of their women was caught in the battle, she then becomes what your right hand possesses, then she becomes *halāl* for you:

فَمَنْ اعْتَدَىٰ عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا اعْتَدَىٰ عَلَيْكُمْ

*“Then whoever transgresses against you, you transgress likewise against them.”*<sup>210</sup>

**What harm? If they kill our women we kill theirs. This is justice. It is not justice to say if they kill our women we don’t kill their women. Notice that this has a great impact on them.”**<sup>211</sup><sup>212</sup> [End Quote Shaykh Ibn ‘Uthaymīn (Rahimahu ‘Llah)]

## REFUTATION OF THE CHAPTER “EVIDENCES ADVANCED IN DEFENCE OF SUICIDE BOMBING

The last chapter in the book is titled *“Evidences Advanced in Defence of Suicide Bombing”*<sup>213</sup> in which the brother writes the following:

*“All of the evidences cited in The Islāmic Ruling on the Permissibility of Martyrdom Operations to justify suicide bombing by way of analogy are rather tenuous. To quote a few such narrations of the Prophet (Salla ‘Llahu ‘alayhi wa sallam) related to battlefield Jihād:*

*“By (Allāh) in Whose Hand is my soul! I have surely wished to be killed in the path of Allāh, then brought to life, then killed [again], then brought to life, then killed!”*<sup>214</sup>

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<sup>209</sup> Sūrah Al-Baqarah 2:194.

<sup>210</sup> Sūrah Al-Baqarah 2:194.

<sup>211</sup> Again according to what the brother has mentioned earlier the Shaykh’s (Rahimahu ‘Llah) saying, **What harm? If they kill our women we kill theirs. This is justice. It is not justice to say if they kill our women we don’t kill their women. Notice that this has a great impact on them.”** Is a saying which is: atrocious, abhorrent, sadistic, outrageous, decidedly wicked, criminal, an attempt of mass murder, a targeting of the innocent, a misplacement of responsibility, a debasing of the institute of Jihād, a blight upon the already damaged image of Islām, a propaganda gift for its enemies and an act of intolerable cruelty against innocents and an abomination against Islām.

<sup>212</sup> The Video can be downloaded from the following link:

<http://www.youtube.com/watch?v=xqVcLPt75hg>

Note: The above mentioned quotes of the Shaykh (Rahimahu ‘Llah) span from time 2:20-4:12 on the video.

<sup>213</sup> This chapter spans from page 14 to 21 in the book.

<sup>214</sup> Sahīh al-Bukhārī, Sahīh Muslim and others.

"Our Sustainer (**Allāh**) marvels at two men: a man who stirs from his bed to pray and a man who fights in **Allāh**'s Cause, his companions are defeated and he realizes what awaits him in defeat and what awaits him in returning [to combat], but he returns [to combat nevertheless] until his blood is spilled. **Allāh** says: "Look at My servant who went back [to combat] hopeful and anxious for what is with Me, until his blood was spilled."<sup>215</sup>

"Among the best of lives for people is a man who clasps the reins of his horse in the path of **Allāh**, rushing on its back; whenever he hears a cry [of battle] or advancement towards the enemy, he hurries to it, seeking death and being slain with eagerness."<sup>216</sup>

Mu'adh Ibn 'Afra (*Radiya 'Llahu 'anhu*) asked **Allāh**'s Messenger (Salla 'Llahu 'alayhi wa sallam): "What makes **Allāh** laugh (with approval) at His slave?" The Prophet (Salla 'Llahu 'alayhi wa sallam) replied: "His (the slave's) immersing himself into the enemy without armour." Mu'adh (*Radiya 'Llahu 'anhu*) then took off his armour and fought until he was killed.<sup>217</sup>

### Analysis

What should be immediately apparent from the afore-mentioned *ahadith* is that they all clearly extol the virtue of the *Mujāhid* fighting the enemy until he is killed by them. Pay attention here: the narrations are praising the one who fights until he is killed by his enemy - not the one who kills himself in order to fight the enemy. Hence, the saying of **Allāh** (which the suicidists have clearly misunderstood):

إِنَّ اللَّهَ اشْتَرَىٰ مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنْ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ  
فَيَقْتُلُونَ وَيُقَاتَلُونَ

"Verily, **Allāh** has purchased from the believers their selves and their wealth, in return for Heaven being theirs. They fight in the path of **Allāh** and they kill and are killed."<sup>218</sup>

That is: "They kill (the enemy) and are killed (by the enemy)." In order for this verse to justify suicide bombing, as the essay writers mistakenly argue, it would have to mean: "They kill (the enemy) and are killed (by themselves)."

So the battlefield martyr, according to the divinely-revealed texts and consensus of the jurists, is the one who fights and then dies by *other* than his own hand. The only exception to this is the case of the one who kills himself accidentally. Such a person may still be considered a martyr if his intention was not to die by his own hand, but to continue to fight until the enemy kills him.

<sup>215</sup> Narrated by Ibn Mas'ud (*Radiya 'Llahu 'anhu*) in Musnad Ahmad (6/22).

<sup>216</sup> Narrated from Abū Hurayra (*Radiya 'Llahu 'anhu*) in Sahīh Muslim.

<sup>217</sup> Ibn Abi Shayba in his Musannaf (5/338).

<sup>218</sup> Sūrah At-Tawbah 9:111.



وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُقَاتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ

**"And fight in Allāh's Cause those who fight you, but do not transgress the limits (of the Sharia). Truly, Allāh loves not the transgressors."**<sup>219</sup> [End Quote Ben Ādam]

The brother begins by remarking that all the evidences that are presented in the book *"The Islāmic Ruling on the Permissibility of Martyrdom Operations"*<sup>220</sup> which seek to justify Martyrdom Operations via analogy are all very tenuous to say the least. He then tries to prove this by quoting only four out of the twenty two evidences which are presented in the book (This is hardly what I'd call disproving all the evidences!!!).

He then tries to analyse these four evidences out of twenty two which are presented in the aforementioned book and concludes that these evidences are a clear appraisal of the Mujāhid who fights the enemy until he is killed by them and not by himself. He then quotes the following verse:

إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنْ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ

**"Verily, Allāh has purchased of the believers their lives and their properties for (the price) that theirs shall be the Paradise. They fight in Allāh's cause, so they kill and are killed."**<sup>221</sup>

He then says that in this verse Allāh clearly says: **"They kill (the enemy) and are killed (by the enemy)."** And that in order for it to justify what he calls suicide bombings, it would have to read: **"They kill (the enemy) and are killed (by themselves)."**

Finally he concludes that according to the divinely-revealed texts and the consensus of the jurists the battlefield martyr, is the one who fights and then dies by *other* than his own hand and that the only exception is the one who accidentally kills himself and if this is the case there's still a small possibility that he could be considered a martyr if his intention was not to kill himself etc. He then quotes the following verse:

وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُقَاتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ

**"And fight in Allāh's Cause those who fight you, but do not transgress the limits (of the Sharia). Truly, Allāh loves not the transgressors."**<sup>222</sup>

<sup>219</sup> Sūrah Al-Baqarah 2:190.

<sup>220</sup> This book can be downloaded from the following link:

[http://ia311034.us.archive.org/2/items/guidebooks/selfsacrifice\\_operations.pdf](http://ia311034.us.archive.org/2/items/guidebooks/selfsacrifice_operations.pdf)

It is advised to download and read it so that one becomes acquainted with the Islāmic Evidences on the issue.

<sup>221</sup> Sūrah At-Tawbah 9:111.

<sup>222</sup> Sūrah Al-Baqarah 2:190.



Seemingly trying to suggest that those undertaking such operations are in fact transgressing the Sharī'ah of Allāh by killing themselves and Allāh Knows Best.

With regards to the brother's explanation of the verse:

إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنْ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ  
فَيَقْتُلُونَ وَيُقْتَلُونَ

*“Verily, Allāh has purchased of the believers their lives and their properties for (the price) that theirs shall be the Paradise. They fight in Allāh's cause, so they kill and are killed.”<sup>223</sup>*

Then in the Tafsīr of this Āyah there is actually no stipulation given by the Mufasirūn that the person must be killed by the enemy, rather the only stipulation they have clearly mentioned is such a person dies while fighting for the sake of Allāh. An example of this is the Tafsīr of Ibn Kathīr under the chapter *“Allāh has purchased the Souls and Wealth of the Mujāhidin in Return for Paradise”* where he (Rahimahu 'Llah) says:

**“Allāh states that He has compensated His believing servants for their lives and wealth - if they give them up in His cause -- with Paradise<sup>224</sup>. This demonstrates Allāh's favour, generosity and bounty, for He has accepted the good that He already owns and bestowed, as a price from His faithful servants. Al-Hasan Al-Basrī and Qatādah commented, "By Allāh! Allāh has purchased them and raised their worth." Shimr bin `Atiyyah said, "There is not a Muslim but has on his neck a sale that he must conduct with Allāh; he either fulfils its terms or dies without doing that." He then recited this Āyah. This is why those who fight in the cause of Allāh are said to have conducted the sale with Allāh, meaning, accepted and fulfilled his covenant.<sup>225</sup> Allāh's statement,**

[يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ]

(They fight in Allāh's cause, so they kill and are killed.) **Indicates that whether they were killed or they kill the enemy, or both, then Paradise will be theirs<sup>226</sup>.** The Two Sahīhs recorded the Hadīth,

<sup>223</sup> Sūrah At-Tawbah 9:111.

<sup>224</sup> So according to the Imām (Rahimahu 'Llah) as long as a Mujāhid gives up his life and wealth for the sake of Allāh then Allāh will reward them with Paradise.

<sup>225</sup> The Imām (Rahimahu 'Llah) mentions that as long as the Mujāhid fights in the cause of Allāh he has already fulfilled the covenant and hence qualifies for the reward of Paradise.

<sup>226</sup> Again another confirmation from the Imām (Rahimahu 'Llah) that as long as a Mujāhid either kills, is killed or both then they will be rewarded with Paradise.

«وَتَكْفَلَ اللَّهُ لِمَنْ خَرَجَ فِي سَبِيلِهِ لَا يُخْرِجُهُ إِلَّا جِهَادٌ فِي سَبِيلِي وَتَصْدِيقٌ بِرُسُلِي بِأَنْ تَوَفَّاهُ أَنْ يُدْخِلَهُ الْجَنَّةَ، أَوْ يَرْجِعَهُ إِلَى مَنْزِلِهِ الَّذِي خَرَجَ مِنْهُ، نَائِلًا مَا نَالَ مِنْ أَجْرٍ أَوْ غَنِيمَةٍ»

“(Allāh has made a promise to the person who goes out (to fight) in His cause; ‘And nothing compels him to do so except Jihād in My Cause and belief in My Messengers.’ He will either be admitted to Paradise if he dies, or compensated by Allāh, either with a reward or booty if He returns him to the home which he departed from.”<sup>227/228</sup> [End Quote Imām Ibn Kathīr (Rahimahu 'Llah)]

And this is why when commenting on this very issue *Shaykh ul-Islām* Ibn Taymiyyah (Rahimahu 'Llah) said: “...So it is necessary for the Believer to differentiate between what Allāh has prohibited of the person intentionally killing himself or helping in that, and between what Allāh has legislated of the Believers selling themselves and their wealth to Him<sup>229</sup>, as He said:

إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنْ لَهُمُ الْجَنَّةَ

“Verily, Allāh has purchased of the believers their lives and their properties for (the price) that theirs shall be the Paradise...”<sup>230</sup>

And He (Most High) said:

وَمِنَ النَّاسِ مَنْ يَشْرِي نَفْسَهُ ابْتِغَاءَ مَرْضَاتِ اللَّهِ وَاللَّهُ رَءُوفٌ بِالْعِبَادِ

“And of mankind is he who would sell himself, seeking the pleasure of Allāh. And Allāh is full of kindness to (His) servants.”<sup>231</sup>

<sup>227</sup> Again the Hadīth confirms what has been mentioned in the previous three footnotes.

<sup>228</sup> The Tafsīr of this verse by Imām Ibn Kathīr (Rahimahu 'Llah) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=9&tid=22054>

<sup>229</sup> Sadly this is a differentiation that the brother never seems to make; rather he equates a person killing themselves for some worldly reason and a person who sacrifices their life in order to benefit Islām and Muslims or to repel any harm towards Islām and Muslims as being one and the same!!!

<sup>230</sup> Sūrah At-Tawbah 9:111.

<sup>231</sup> Sūrah Al-Baqarah 2:207.

Note: Imām Ibn Kathīr (Rahimahu 'Llah) in the Tafsīr of this Āyah under the heading “The Sincere Believer prefers pleasing Allāh” says the following:

Allāh said:

[وَمِنَ النَّاسِ مَنْ يَشْرِي نَفْسَهُ ابْتِغَاءَ مَرْضَاتِ اللَّهِ]

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(And of mankind is he who would sell himself, seeking the pleasure of Allāh.)

After Allāh described the evil characteristics of the hypocrites, He mentioned the good qualities of the believers. Allāh said:

[وَمِنَ النَّاسِ مَنْ يَشْرِي نَفْسَهُ ابْتِغَاءَ مَرْضَاتِ اللَّهِ]

(And of mankind is he who would sell himself, seeking the pleasure of Allāh.)

Ibn `Abbas, Anas, Sa`id bin Musayyib, Abū `Uthman An-Nahdi, `Ikrimah and several other scholars said that this Āyah was revealed about Suhayb bin Sinan Ar-Rumi. When Suhayb became a Muslim in Makkah and intended to migrate (to Al-Madinah), the people (Quraysh) prevented him from migrating with his money. They said that if he forfeits his property, he is free to migrate. He abandoned his money and preferred to migrate, and Allāh revealed this Āyah about him. `Umar bin Khattab and several other Companions met Suhayb close to the outskirts of Al-Madinah at Al-Harrah (flat lands with black stones). They said to him, "The trade has indeed been successful." He answered them, "You too, may Allāh never allow your trade to fail. What is the matter?" `Umar told him that Allāh has revealed this Āyah (2:207) about him. It was also reported that Allāh's Messenger said, "The trade has been successful, O Suhayb!"

**The meaning of the Āyah (2:207) includes every Mujāhid in the way of Allāh. Allāh said in another Āyah:**

[إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنْ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ وَعَدًا عَلَيْهِ حَقًّا فِي التَّوْرَةِ وَالْإِنْجِيلِ وَالْقُرْآنِ وَمَنْ أَوْفَى بِعَهْدِهِ مِنَ اللَّهِ فَاسْتَبْشِرُوا بِبَيْعِكُمُ الَّذِي بَايَعْتُمْ بِهِ وَذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ]

(Verily, Allāh has purchased of the believers their lives and their properties for (the price) that theirs shall be the Paradise. They fight in Allāh's cause, so they kill (others) and are killed. It is a promise in truth which is binding on Him in the Tawrah and the Injil and the Qur`ān. And who is truer to his covenant than Allāh Then rejoice in the bargain which you have concluded. That is the supreme success.) (9:111)

**When Hisham bin `Amr penetrated the lines of the enemy, some people criticized him. `Umar bin Al-Khattab and Abū Hurayrah refuted them and recited this Āyah:**

[وَمِنَ النَّاسِ مَنْ يَشْرِي نَفْسَهُ ابْتِغَاءَ مَرْضَاتِ اللَّهِ وَاللَّهُ رَءُوفٌ بِالْعِبَادِ]

(And of mankind is he who would sell himself, seeking the pleasure of Allāh. And Allāh is full of kindness to (His) servants.) [End Quote Imām Kathīr (Rahimahu 'Llah)]. The

Meaning: he sells himself. And what should be considered here is what the *Qur'ān* and *Sunnah* have come with - not what the person himself thinks is good from that which is in opposition to the *Qur'ān* and *Sunnah*...<sup>232</sup> [End Quote *Shaykh ul-Islām* Ibn Taymiyyah (Rahimahu 'Llah)]

With regards to evidence from the *Sunnah* then the following has been narrated in the two *Sahīhs* (Al-Bukhārī and Muslim):

Narrated Salāma bin Al-Akwa` (**Radiya 'Llahu 'anhu**): We went out to Khaibar in the company of the Prophet. While we were proceeding at night, a man from the group said to 'Amir, "O 'Amir! Won't you let us hear your poetry?" 'Amir was a poet, so he got down and started reciting for the people poetry that kept pace with the camels' footsteps, saying: — "O Allāh! Without You we Would not have been guided On the right path Neither would we have given In charity, nor would We have prayed. So please forgive us, what we have committed (i.e. our defects); let all of us Be sacrificed for Your Cause And send Sakina(i.e. calmness) Upon us to make our feet firm When we meet our enemy, and If they will call us towards An unjust thing, We will refuse. The infidels have made a hue and Cry to ask others' help Against us." The Prophet on that, asked, "**Who is that (camel) driver (reciting poetry)?**" The people said, "He is 'Amir bin Al-Akwa`." Then the Prophet said, "**May Allāh bestow His Mercy on him.**" A man amongst the people said, "O Allāh's Prophet! Has (martyrdom) been granted to him? Would that you let us enjoy his company longer."<sup>233</sup> Then we reached and besieged Khaibar till we were afflicted with severe hunger. Then Allāh helped the Muslims conquer it (i.e. Khaibar). In the evening of the day of the conquest of the city, the Muslims made huge fires. The Prophet said, "**What are these fires? For cooking what, are you making the fire?**" The people replied, "(For cooking) meat." He asked, "**What kind of meat?**" They (i.e. people) said, "The meat of donkeys." The Prophet said, "**Throw away the meat and break the pots!**" Some man said, "O Allāh's Apostle! Shall we throw away the meat and wash the pots instead?" He said, "**(Yes, you can do) that too.**" So when the army files were arranged in rows (for the clash), 'Amir's sword was short and he aimed at the leg of a Jew to strike it, but the sharp blade of the sword returned to him and injured his own knee, and that caused him to die.<sup>234</sup> When they returned from the battle, Allāh's Apostle saw me (in a sad mood). He took my hand and said, "**What is bothering you?**" I replied, "Let my father and mother be

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Tafsīr of this verse by Imām Ibn Kathīr (Rahimahu 'Llah) can be viewed at the following link: <http://www.tafsir.com/default.asp?sid=2&tid=5524>

And likewise we do the same with those who criticise Martyrdom Operations in our times by refuting them with this Āyah just like 'Umar bin Al-Khattab and Abū Hurayrah (Radiya 'Llahu 'anhum) did with those who used to criticise similar activities during their time. Again how similar is Today to Yesterday!!!

<sup>232</sup> Refer to Majmu' al-Fatawa (25/281).

<sup>233</sup> This is a clear statement from the Prophet (Salla 'Llahu 'alayhi wa sallam) that 'Amir bin Al-Akwa` (Radiya 'Llahu 'anhu) was indeed to become a Martyr, but the question remains who killed 'Amir (Radiya 'Llahu 'anhu) in order for him to attain his martyrdom??? Let's read on to find out Insha'Allāh.

<sup>234</sup> So it was 'Amir bin Al-Akwa` (Radiya 'Llahu 'anhu) who was the cause of his own death, but despite this the Prophet (Salla 'Llahu 'alayhi wa sallam) clearly stated that he (Radiya 'Llahu 'anhu) was indeed a Martyr.

sacrificed for you! The people say that the deeds of 'Amir are lost."<sup>235</sup> The Prophet said, "Whoever says so, is mistaken, for 'Amir has got a double reward."<sup>236</sup> The Prophet raised two fingers and added, "He (i.e. Amir) was a persevering struggler in the Cause of Allāh and there are few 'Arabs who achieved the like of (good deeds)' Amir had done."<sup>237238</sup>

Also with regards to what the scholars have said about this issue then the following are just a few examples:

Imām Ibn Qudāmah (Rahimahu 'Llah) said: "... so if the martyr's weapon comes back upon him and kills him, then he is like the one who was killed by the hands of the enemy."<sup>239</sup> And Al-Qadhi (Iyadh) said: He is to be washed and prayed over because he did not die by the hands of the *kuffār*. This is similar to the one whom this happens to outside of the battlefield, and supporting this is what Abū Dāwūd<sup>240</sup> narrated from a man from the Companions of the Prophet (Salla 'Llahu 'alayhi wa sallam) who said: "We attacked the territory of (the tribe of) *Juhaynah*, so a man from the Muslims was chasing after one of them and struck him, thereby hitting himself with his own sword. So, the Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) said: '*Your brother, O Muslims!*' So, the people rushed to him and found that he was dead. The Messenger of Allāh (Salla 'Llahu 'alayhi wa sallam) then wrapped him in his bloody garment and prayed over him. So, the people asked: '*O Messenger of Allāh! Is he a martyr?*' He (Salla 'Llahu 'alayhi wa sallam) replied: '*Yes, and I am a witness for him (to that)*'."<sup>241</sup> [End Quote Imām Ibn Qudāmah (Rahimahu 'Llah)]

<sup>235</sup> This is very similar to what the brother says about those who perform Martyrdom Operations due to them killing themselves with their own hands, but let's see the Prophet's (Salla 'Llahu 'alayhi wa sallam) verdict on this.

<sup>236</sup> So this is the verdict of the Prophet (Salla 'Llahu 'alayhi wa sallam) and one that we adhere to, but what is the reason that enables a person who is the cause of their own death to still be counted as a Martyr??? Let's read on to find out Insha'Allāh.

<sup>237</sup> So this is the reason. It was because he was fighting for the sake of Allāh and he died in this state and the fact that he was the cause of his own death didn't have an effect on him becoming a Martyr.

<sup>238</sup> Refer to Sahīh al-Bukhārī Hadīth # 4196 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition*) and Sahīh Muslim Hadīths # 4668 & 4669 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, June 2007*), also see "*Fat'h Al-Bārī*" (7/466).

<sup>239</sup> So according to the Imām (Rahimahu 'Llah) even if the Mujāhid dies from their own weapon and is the cause of their own death they are still regarded as a Martyr and the only difference between them and the one who dies from the weapon of the enemy and via their hands is that the former is washed and prayed over whereas the latter isn't.

<sup>240</sup> Refer to Sunan Abū Dāwūd Hadīth #2539 (*Dār us-Salām Publications, Arabic-English, Riyadh, 1st Edition, July 2008*). This Hadīth is weak, but its meaning is correct and has already been confirmed in the previously mentioned Hadīth of Salāmah bin Al-Akwa' (Radiya 'Llahu 'anhu) which was narrated in the two Sahīhs (Al-Bukhārī and Muslim).

<sup>241</sup> Refer to AI-Mughnī, in Kitāb al-Jana'iz (2/206).

Imām Mansūr Ibn Idrīs Al-Buhutī (Rahimahu 'Llah) said “... the martyr is the one who dies as a result of fighting with the kuffār during the time of fighting.”<sup>242243</sup> [End Quote Imām Mansūr Ibn Idrīs Al-Buhutī (Rahimahu 'Llah)]

Imām Al-Khatīb Muhammad Ibn Ahmed Ash-Sharbinī (Rahimahu 'Llah) said the Martyr is “... he is the one who is killed while fighting the kuffār, going towards them and not showing them his back, so that the Word of Allāh may be the highest, and the word of those who disbelieve may be the lowest, without seeking any part of this World.”<sup>244245</sup> [End Quote Imām Al-Khatīb Muhammad Ibn Ahmed Ash- Sharbinī (Rahimahu 'Llah)]

Imām Ibn Hajar Al-Asqalānī (Rahimahu 'Llah) said the Martyr is “... the one who is killed sincerely fighting against the kuffār, going towards them and not showing them his back.”<sup>246247</sup> [End Quote Imām Ibn Hajar Al-Asqalānī (Rahimahu 'Llah)]

So all of the above proves that the brother’s analysis that in order for a Mujāhid to attain Martyrdom he must be killed by the enemy and that according to the divinely revealed texts and the consensus of the jurists the Martyr is the one who dies by other than his own hand is just another statement of falsehood amongst the many which are contained in his book.

The brother then finishes off this chapter by saying:

#### “The People of the Ditch

By their own admission, the strongest evidence the takfiri-Jihādi apologists present for the justification of suicide bombing is the *Hadīth*, recorded in *Sahīh Muslim*, about the boy from the People of the Ditch, from the *Tafsīr* of *Sūrah al-Buruj*. Suhayb (Radiya 'Llahu 'anhu) reported that Allāh's Messenger (Salla 'Llahu 'alayhi wa sallam) said:

There lived a king before you and he had a (court) magician. As he (the magician) grew old, he said to the king: “*I have grown old. Send some young boy to me so that I should teach him magic.*” The king sent to him a young man so that he should train him (in magic). And on his way to the magician, the youth found a monk sitting there. The youth listened to the monk's talk and was impressed by it. It became his habit that on his way to the magician he met the monk and set there and he came to the magician (late). The magician beat him because of delay. He made a complaint of that to the monk and he said to him: “*When you feel afraid of the magician, say: 'Members of my family had detained me.'* And when you feel afraid of your family you should say: ‘The

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<sup>242</sup> Again there is no stipulation from Imām Mansūr Ibn Idrīs Al-Buhutī (Rahimahu 'Llah) that the Mujāhid must be killed by the enemy in order to attain Martyrdom, rather the only stipulation he (Rahimahu 'Llah) states is that such a person dies while fighting for the sake of Allāh.

<sup>243</sup> Refer to *Kashf al-Qina'* (2/113).

<sup>244</sup> Again the only stipulation given by Imām Al-Khatīb Muhammad Ibn Ahmed Ash-Sharbinī (Rahimahu 'Llah) is that the Mujāhid dies while fighting for the sake of Allāh and not showing the enemy his back.

<sup>245</sup> Refer to *Mughnī Al-Muhtaj* (1/350).

<sup>246</sup> This again confirms what has been said in the previous footnotes.

<sup>247</sup> Refer to *Fat'h Al-Bārī* (6/129).



*magician had detained me."* It so happened that there came a huge beast (of prey) and it blocked the way of the people, and he (the young boy) said: *"I will come to know today whether the magician is superior or the monk is superior."* He picked up a stone and said: *"O Allāh, if the affair of the monk is dearer to Thee than the affair of the magician, cause death to this animal, so that the people should be able to move about freely."* He threw that stone towards it and killed it and the people began to move about (on the path freely). He (the young man) then came to that monk and informed him and the monk said: *"Son, today you are superior to me. Your affair has come to a stage where I find that you would be soon put to a trial, and in case you are put to a trial, do not give my clue."* The youth began to treat the blind and those suffering from leprosy and he in fact began to cure people from (all kinds) of illness.

When a companion of the king who had gone blind heard about him, he came to him with numerous gifts and said: *"If you cure me all these things collected together here would be yours."* The youth said: *"I myself do not cure anyone. It is Allāh Who cures and if you affirm faith in Allāh, I shall also supplicate Allāh to cure you."*

The king's companion affirmed his faith in Allāh and Allāh cured him. He came to the king and sat by his side as he used to sit before. The king said to him: *"Who restored your eyesight?"* He said: *"My Lord."* Whereupon the king said: *"It means that your Lord is One besides me?"* He said: *"My Lord and your Lord is Allāh."* So the king took hold of him and tormented him till he gave a clue of that boy. The young man was thus summoned and the king said to him: *"O boy, it has been conveyed to me that you have become so much proficient in your magic that you cure the blind and those suffering from leprosy and you do such and such things."* Whereupon the boy said: *"I do not cure anyone; it is Allāh Who cures."* The king took hold of him and began to torment him until he gave a clue of the monk. The monk was thus summoned and it was said to him: *"You should turn back from your religion."* He, however, refused to do so. The king then ordered for a saw to be brought, placed it in the middle of the monk's head and sawed it into parts till they fell down. Then the courtier of the king was brought and it was said to him: *"Turn back from your religion."* He refused to do so, and the saw was placed in the midst of his head and it was parted till it fell down. Then, the young boy was brought and it was said to him: *"Turn back from your religion."* He refused to do so and he was handed over to a group of his courtiers and it was said to them: *"Take him to such and such mountain; make him climb up that mountain and when you reach its top (ask him to renounce his faith) but if he refuses to do so, then throw him (down the mountain)."* So they took him and made him climb up the mountain and he said: *"O Allāh, save me from them (in any way) Thou likest,"* and the mountain began to quake and they all fell down and that person came walking to the king. The king asked: *"What has happened to your companions?"* He said: *"Allāh has saved me from them."*

The king again handed the boy to his courtiers and said: *(Take him and carry him in a small boat and when you reach the middle of the ocean (ask him to renounce) his religion, but if he does not renounce his religion throw him (into the water)."*

So they took him and he said: *"O Allāh, save me from them and what they want to do."* It was quite soon that the boat turned over and they were drowned and he came walking to the king, and the king said to him: *(What has happened to your companions?"* He said: *"Allāh has saved me from them,"* and he said to the king: *"You cannot kill me until you do what I ask you to do."* And he said:

"What is that?" He said: "You should gather people in a plain and hang me by the trunk (of a tree). Then take hold of an arrow from the quiver and say: 'In the name of Allāh, the Lord of the worlds'; then shoot an arrow. If you do that, then you would be able to kill me." So the king called the people in an open plain and tied the boy to the trunk of a tree, then he took hold of an arrow from his quiver and then placed the arrow in the bow and then said: "In the name of Allāh, the Lord of the young boy"; he then shot an arrow and it hit his temple. The boy placed his hands upon the temple where the arrow had hit him and died. The people said: "We affirm our faith in the Lord of this young man, we affirm our faith in the Lord of this young man; we affirm our faith in the Lord of this young man." The courtiers came to the king and it was said to him: "Do you see that Allāh has actually done what you aimed at averting? They (the people) have affirmed their faith in the Lord." The king commanded ditches to be dug at important points in the path. When these ditches were dug, and the fire was lit in them it was said (to the people): "He who would not turn back from his (boy's) religion would be thrown in the fire" or it would be said to them to jump in that ditch. (The people courted death but did not renounce religion) till a woman came with her child and she felt hesitant in jumping into the fire and the child said to her: "O mother, endure (this ordeal) for it is the Truth."<sup>248</sup>

In relation to this story, Allāh revealed:

قُتِلَ أَصْحَابُ الْأَخْدُودِ النَّارِ ذَاتِ الْوَقُودِ إِذْ هُمْ عَلَيْهَا قُعُودٌ وَهُمْ عَلَى مَا يَفْعَلُونَ  
بِالْمُؤْمِنِينَ شُهُودٌ وَمَا نَقَمُوا مِنْهُمْ إِلَّا أَنْ يُؤْمِنُوا بِاللَّهِ الْعَزِيزِ الْحَمِيدِ

"Cursed were the people of the ditch. Fire (they) supplied (Abundantly) with fuel - when they sat by it and witnessed what they were doing against the believers. They had nothing against them, except that they believed in Allāh, the All-Mighty, Worthy of all Praise!"<sup>249</sup>

## Analysis

The **Hadīth** recounts the steadfastness and sacrifice of the believers of old before the coming of Islām, and how through miracles from Allāh, the martyrdom of one young believer at the hands of a tyrant caused the onlookers to enter into true faith and also attain martyrdom. Allāh inspired the boy with steadfastness in the face of death just as He inspired the baby to speak miraculously and encourage its mother with the same. This **Hadīth** is the same proof al-Qaeda's chief ideologue, Ayman al-Zawahiri, has publicly used to encourage suicide bombing. The **Hadīth** was also used by the Saudi *takfiri* cleric, Shaykh Sulayman bin Nasir al-Alwan<sup>250</sup>, as an evidence for so-called

<sup>248</sup> Sahīh Muslim (42/7148).

<sup>249</sup> Sūrah al-Buruj 85:4-8.

<sup>250</sup> The book of the Shaykh (May Allāh hasten his release) on the issue can be downloaded from the following link:

[http://ia350616.us.archive.org/1/items/PermissabilityOfMartyrdomOperations/Martyrdom\\_Operations.pdf](http://ia350616.us.archive.org/1/items/PermissabilityOfMartyrdomOperations/Martyrdom_Operations.pdf)

It is advised to download and read it so that one becomes acquainted with the way that the Shaykh (May Allāh hasten his release) has simply and correctly explained the lessons which are derived from the story of "The People of the Ditch". This is in

martyrdom operations. Yet, this *Hadīth* is the flimsiest of supports for such an act, and for the following reasons:

1) The whole episode of the People of the Ditch is inadmissible as an evidence for the rules of *Jihād* because it is from a previous sharia of pre- *Islāmic* times. The sharia of Muhammad abrogates all that went before it.

2) If a person on death row is given a choice: death by firing squad, lethal injection, hanging or the electric chair, and chooses one, do we say he took his own life or that he simply chose his preferred method of execution? This is the case here. The boy did not kill himself by his own hand. He merely chose his preferred method of execution. Either way, the king was going to kill the boy. So, to outwit the king and have the people believe in *Allāh*, the boy told the king that he could only be killed by an arrow fired in God's holy name.

3) The certainty with which the boy knew that he would die only by an arrow fired in God's name could not have come to him except through divine inspiration. Such direct inspiration from *Allāh* ended with the death of the Prophet Muhammad (Salla 'Llahu 'alayhi wa sallam). Anyone today who claims to know the precise method and moment of his death is claiming to have received inspiration from *Allāh* or to have come to possess knowledge of the unseen by some other means. Either way, the claim is an act of apostasy.

وَعِنْدَهُ مَفَاتِحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ

*"And with Him (Allāh alone) are the keys to the unseen. None knows them but He."*<sup>251</sup>

4) If the lessons to be learnt from this story are related to *Jihād*, then they are of a very different kind of *Jihād* than those which have been recounted in the classical *Islāmic* texts. Not only did the martyrs in the story not kill themselves, but they never once tried to fight back, harm or kill their enemy. The story, therefore, serves as more of a lesson for *the Jihād of the self* than it does *the Jihād of the sword*.

5) The martyrdom of the boy lead to an immediate and everlasting benefit as the people looking on embraced *Islām*. Suicide bombings cannot boast anything even remotely approaching such a desirable outcome. Quite the contrary, suicide attacks almost always result in brutal reprisals and collective punishments for the wider civilian populous alongside an exponential increase in *Islāmophobic* sentiment; all of which contravenes the *Islāmic* principle: *fighting evil itself becomes evil if, as a consequence, it leads to more harm*. As Shaykh Ibn 'Uthaymīn continues in his *fatwā*:

So if he (the suicide bomber) kills himself along with ten or a hundred or two hundred other people, then *Islām* will not benefit by that, since the people will not accept *Islām*, contrary to the story of the boy. Rather, it will likely make the enemy more determined, and this action will provoke (even greater) malice and bitterness in his heart to an extent that he may seek to destroy the Muslims even more, as is what is found from the practice of the (Israeli) Jews with the

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contrast to the bogus botched-up attempt made by the brother which I'm shortly going to refute Insha'Allāh.

<sup>251</sup> Sūrah Al-An'am 6:59.

people of Palestine. So when one of the Palestinians dies by such (suicide) bombings and kills six or seven people, they (the Israelis) take sixty or more people in retaliation. So this does not produce any benefit for the Muslims and nor does it benefit those amongst whose ranks the bombs are detonated.

وَاتَّقُوا فِتْنَةً لَا تُصِيبَنَّ الَّذِينَ ظَلَمُوا مِنْكُمْ خَاصَّةً وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ

*"And beware the affliction which affects not in particular those of you who do wrong (but may also harm innocents). And know that Allāh is strict in punishment."*<sup>252</sup>

In short, the justification of suicide bombing through the **Hadīth** of the People of the Ditch is from the weakest of extrapolations, is made by those with no solid grounding in the scholastic sciences of Islām, and is regurgitated only in the cyber literature of suicide bombing apologists." [End Quote Ben Ādam]

The brother begins by correctly stating that the strongest evidence in support of Martyrdom Operations comes from the story of The People of the Ditch which is related in Sahīh Muslim (finally something that is actually true in this book of his!!!). He then quotes the Hadīth as well as four verses from Sūrah al-Buruj pertaining to the story. Finally he then asserts that the Hadīth is one of the flimsiest supports of such operations and then he goes on to try and make five point all of them which I'm now going to refute **Insha'Allāh**.

The first point he tries to make is that the whole story of The People of the Ditch cannot be used as evidence in deriving rules for Jihād because it is from the Sharī'ah of a Previous nation and not from the Sharī'ah of Muhammad (Salla 'Llahu 'alayhi wa sallam). This point is refuted from two angles. Firstly, with regards to this story being from the Sharī'ah of a Previous nation then this is not the case because Allāh (Subhanahu wa ta'ala) after mentioning the story praised the actions of the believers in a way which includes those who come after them and emulate their actions due to His (Subhanahu wa ta'ala) saying:

إِنَّ الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ لَهُمْ جَنَّاتٌ تَجْرَى مِنْ تَحْتِهَا الْأَنْهَارُ ذَلِكَ الْفَوْزُ الْكَبِيرُ

*"Verily, those who believe and do righteous good deeds, for them will be Gardens under which rivers flow. That is the supreme success."*<sup>253</sup>

Also Muhammad (Salla 'Llahu 'alayhi wa sallam) didn't mention this story except that he praised the actions of the believers in it and so that their example can be followed and emulated by those believers who come after them, hence the whole story becomes part of our Sharī'ah. It is for this very reason why Islāmic scholars (both past and present) refer back to this story in order to derive certain principals from it. For example Shaykh Ibn 'Uthaymīn (Rahimahu 'Llah) derived the following principal from the story (which he incorrectly applied): **"Fourthly: That it is permissible for a person to expose himself to danger for a matter of general benefit to the Muslims, because the boy indicated to the king the way**

<sup>252</sup> Sūrah al-Anfal 8:25.

<sup>253</sup> Sūrah al-Buruj 85:11.

**in which he would be able to kill him, and which would lead to his demise, which was that he should take an arrow from his quiver etc.”<sup>254</sup>**

Now can it be said that the Shaykh (**Rahimahu 'Llah**) was ignorant enough to use evidence from the Sharī'ah of a previous nation and not from the Sharī'ah of Muhammad (**Salla 'Llahu 'alayhi wa sallam**) in order to derive such a principal??? Of course not!!! And he wasn't the only scholar to do this as we'll shortly discover **Insha'Allāh**.

Secondly, the notion that this story cannot be used as evidence to derive any rulings of Jihād specifically is another false notion and is refuted by the following statement of *Shaykh Al-Islām* Imām Ibn Taymiyyah (**Rahimahu 'Llah**) who said: **“And it is narrated from Muslim in his *Sahīh* from the Prophet (Salla 'Llahu 'alayhi wa sallam) the story of the People of the Ditch, and in it is that the young boy ordered the killing of himself for the *Maslahah* (benefit) of making the *Din* triumphant. And for this reason, the Four *Imāms* permitted the Muslim to immerse into the ranks of the *kuffār* - even if he knows that most likely the enemies will kill him - (so they permitted this) as long as there is a benefit for the Muslims in (him doing) that ...”<sup>255</sup>** [End Quote *Shaykh Al-Islām* Imām Ibn Taymiyyah (**Rahimahu 'Llah**)]

So from the above it is clear to see that the brother's claim that the whole story of The People of the Ditch being inadmissible as evidence in deriving rules for Jihād because it is from the Sharī'ah of a Previous nation and not from the Sharī'ah of Muhammad (**Salla 'Llahu 'alayhi wa sallam**) is totally incorrect and completely false.

The second point the brother tries to make is that the king was going to kill the boy anyway and what the boy merely did was choose his preferred method of execution which would lead to the people believing in Allāh (**Subhanahu wa ta'ala**). Again this is not correct because of the following reasons: -

- 1) No matter what the king was going to do he wouldn't have been able to kill the boy and this is apparent from the Hadīth itself where the king twice failed in killing the boy before the boy said to him: **"You cannot kill me until you do what I ask you to do."** And since the brother in his next point is adamant that the boy was receiving revelation from Allāh (**Subhanahu wa ta'ala**) (even though scholars have differed over this) then we can say for sure that this was definitely the case.
- 2) Allāh (**Subhanahu wa ta'ala**) twice saved the boy from the king and his followers and made him escape from them, but despite this the boy voluntarily chose to go back

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<sup>254</sup> Please refer back to Footnote #58.

<sup>255</sup> Again this is the principle that we mentioned earlier, which is the permissibility of a Muslim/Muslims sacrificing their life/lives in order to benefit Islām and Muslims or repel a harm from Islām and Muslims, which is the principal used to support Martyrdom Operations. Also notice how *Shaykh Al-Islām* Imām Ibn Taymiyyah (**Rahimahu 'Llah**) mentions that the Four Imāms (Abū Hanīfah, Mālik, Shāfi'ī and Ahmad) have all used the story of The People of the ditch to permit a Muslim/Muslims to immerse themselves into the ranks of the enemy even if they know that they'll die as a result of this. This is a clear refutation of the brother's claim that this story is from the Sharī'ah of a previous nation and therefore can't be used to derive any rulings of Jihād.



to the king. Again this is apparent from Hadīth itself: **“So they took him and made him climb up the mountain and he said: ‘O Allāh, save me from them (in anyway) Thou likest,’ and the mountain began to quake and they all fell down and that person came walking to the king.” & “So they took him and he said: ‘O Allāh, save me from them and what they want to do.’ It was quite soon that the boat turned over and they were drowned and he came walking to the king”**

- 3) The boy disclosed to the king the only way in which he could be killed by him when he told him: **“You should gather people in a plain and hang me by the trunk (of a tree). Then take hold of an arrow from the quiver and say: ‘In the name of Allāh, the Lord of the worlds’; then shoot an arrow. If you do that, then you would be able to kill me.”**

So taking all the above into consideration the claim that the king was going to kill the boy anyway and what the boy merely did was choose his preferred method of execution is another false claim, rather what actually happened is the boy was twice saved by Allāh (**Subhanahu wa ta'ala**) and given clear escape routes away from the king and his followers, but he instead chose to willingly go back to the king and tell him the only way that the king could kill him, he then commanded that he should be tied to a tree trunk and that an arrow should be shot at him in the name of Allāh. This scenario is equivalent to a person going to someone and asking them to tie them up and to then get a gun and shoot them directly in the head, now is this not a case of suicide even though the person didn't shoot themselves??<sup>256</sup> So this is exactly the case with the boy the only difference being is that he did this in order to benefit Islām and to make the word of Allāh (**Subhanahu wa ta'ala**) the highest which is the reason why what he did is regarded as a sacrifice and not suicide. The same holds true for Martyrdom Operations which is why as the brother correctly pointed out (which is probably the only correct thing in his book!!!) that this is indeed the strongest evidence in support of them.

The third point that the brother tries to make is that the boy knew with certainty that he would only die by an arrow fired in the name of Allāh (**Subhanahu wa ta'ala**) and that he could only know this if he was receiving revelation from Allāh (**Subhanahu wa ta'ala**) and that this type of revelation stopped at the time of Muhammad (**Salla 'Llahu 'alayhi wa sallam**). He then goes on state that anyone today who claims to know the exact method and moment of their death is claiming to be receiving revelation from Allāh (**Subhanahu wa ta'ala**) or to possess knowledge of the unseen both of which are acts of apostasy.

The first thing that can be said about the above mentioned assertion is that it is such an irrelevant point because it has nothing to do with the discussion at hand as no one is claiming to know the exact method and moment of their death nor is anyone claiming to be receiving

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<sup>256</sup> As mentioned previously a person can commit suicide by getting someone else to kill them and even though such a person hasn't literally killed themselves with their own hands they would still be guilty of Assisted Suicide and this is something which is agreed upon by both the intellect and the Shari'ah. An example of this is Dignitas (euthanasia group) which is a Swiss based assisted suicide group that assists its members in committing suicide; this is a practical example of how people commit suicide by getting others to kill them. Details of this group can be found at the following link:  
[http://en.wikipedia.org/wiki/Dignitas\\_%28euthanasia\\_group%29](http://en.wikipedia.org/wiki/Dignitas_%28euthanasia_group%29)



revelation from Allāh (**Subhanahu wa ta'ala**) nor is anyone claiming to possess knowledge of the unseen. What is merely being done is that this story is being used as evidence which as proven has been done by famous Islāmic scholars both from the past and the present. Also as mentioned previously the opinion that the boy was receiving revelation (even though this is something that the scholars have differed over) is something that supports us in the issue of Martyrdom Operations and doesn't go against us as it proves with certainty that the king was not going to be able to kill the boy (no matter what he tried) and that the boy revealed to the king the only possible way to kill him which was that he should be tied to a tree trunk and that an arrow should be shot at him in the name of Allāh. It has also been mentioned that in normal circumstances such an action would be deemed as suicide because the boy assisted in his own death even though he himself didn't shoot the arrow. It has also been stated that the reason why it wasn't regarded as suicide is because it was done in order to benefit Islām and to make the word of Allāh (**Subhanahu wa ta'ala**) the highest and that such an action is actually regarded as sacrificing your life for the sake of Allāh, as is highlighted in the following: **he said to the king: "You cannot kill me until you do what I ask you to do."** **And he said: "What is that?" He said: "You should gather people in a plain and hang me by the trunk (of a tree). Then take hold of an arrow from the quiver and say: 'In the name of Allāh, the Lord of the worlds'; then shoot an arrow. If you do that, then you would be able to kill me."** So the king called the people in an open plain and tied the boy to the trunk of a tree, then he took hold of an arrow from his quiver and then placed the arrow in the bow and then said: "*In the name of Allāh, the Lord of the young boy*"; he then shot an arrow and it hit his temple. The boy placed his hands upon the temple where the arrow had hit him and died.

The fourth point that the brother tries to make is that the story serves as more of a proof for the Jihād of the self rather than the Jihād of the sword because not only did the martyred believers in the story not kill themselves, but they never once tried to fight back, harm or kill the enemy.

As has already been proven the boy in the story did indeed assist in his own death even though he didn't shoot the arrow himself because he went to the king revealed the only way in which he could be killed, commanded the king to tie him to a trunk of a tree and then shoot an arrow at him in the name of Allāh, but because he did all of this in order to benefit Islām and make Allāh (**Subhanahu wa ta'ala**)'s word the highest he was regarded as sacrificing his life for the sake of Allāh and not someone who had committed suicide. With regards to the story emphasising on Jihād of the self rather than Jihād of the sword then I again bring the statement of *Shaykh Al-Islām* Imām Ibn Taymiyyah (**Rahimahu 'Llah**) who said: **"And it is narrated from Muslim in his Sahīh from the Prophet (Salla 'Llahu 'alayhi wa sallam) the story of the People of the Ditch, and in it is that the young boy ordered the killing of himself for the Maslahah (benefit) of making the Din triumphant. And for this reason, the Four Imāms permitted the Muslim to immerse into the ranks of the kuffār - even if he knows that most likely the enemies will kill him - (so they permitted this) as long as there is a benefit for the Muslims in (him doing) that ..."**<sup>257</sup> [End Quote *Shaykh Al-Islām* Imām Ibn Taymiyyah (**Rahimahu 'Llah**)]

So again it is made clear that the brother's claim that the story emphasises on the Jihād of the self rather than the Jihād of the sword is again another false statement.

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<sup>257</sup> Please refer back to Footnote #255

The fifth point that the brother tries to make is that the martyrdom of the boy lead to an immediate and positive result which was that all the people who witnessed the event all embraced Islām, whereas Martyrdom Operations can't boast anything even remotely close to this because all the results of them are negative and the results only serve to hinder Islām and the Muslims. He then again quotes the shortened version of Shaykh Ibn 'Uthaymīn's Fatwā (with important points made by the Shaykh (**Rahimahu 'Llah**) omitted from both the start and the end).

Finally the brother finishes off by saying that that the justification of Martyrdom Operations via the hadīth of the People of the Ditch is one of the weakest extrapolations and is made only by those who have no scholarly credentials and are only repeated via the internet by those who support Martyrdom Operations.

This point is refuted from the following angle. It has already been conclusively established that the entire Jihād taking place today is of the category Jihād Ad-Daf' (Defensive Jihād), as the Kuffār have entered various Muslim lands and occupied them and are actively fighting Islām and the Muslims. It has also been conclusively established that the ruling of this type of Jihād is Fard 'Ayn (An Individual Obligation). It is also a fact that the primary aim of Jihād Ad-Daf' (Defensive Jihād) is to fight the enemy until they stop fighting the Muslims and leave the lands which they've occupied, as opposed to them embracing Islām (although this is good it's not the primary aim of Ad-Daf' (Defensive Jihād)) because preserving the lives of those who are currently Muslims takes precedence over those who may become Muslims later on. So bearing all this in mind the benefit is to find the most effective means to fulfil this aim, i.e. To help fight the enemy until they stop fighting the Muslims and leave the lands which they've occupied. And as has been attested to by the enemy themselves one of the most effective ways of doing this is through Martyrdom Operations<sup>258</sup> due to them:

- 1) Requiring little training and equipment compared to fielded forces and conventional military operations
- 2) Being cheap
- 3) Being difficult for the enemy to predict
- 4) Producing a high kill ratio
- 5) Having deep psychological effects on the enemy
- 6) Being difficult for the enemy to detect
- 7) Being more precise against harder targets
- 8) Being more operationally secure than other war methods
- 9) Being less logistically straining than other war methods
- 10) Being more effective on hard targets than other war methods
- 11) Being more secure than other war methods
- 12) Being more effective on military targets than other war methods etc.

So bearing all this in mind the claim made by the brother that Martyrdom Operations cannot boast anything even remotely approaching a desirable outcome is another false claim which the enemies of Islām would even attest to.

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<sup>258</sup> Please refer back to the section REFUTATION OF THE CHAPTER "THE EFFICACY OF SUICIDE BOMBING" for confirmation of this Insha'Allāh.

As for the shortened version of Shaykh Ibn ‘Uthaymīn’s fatwā (with important points made by the Shaykh (**Rahimahu 'Llah**) omitted from both the start and the end) which was mentioned by the brother than as stated before we view the Shaykh’s fatwā to be incorrect because although he derives a correct principal from the Story of the People of the Ditch he fails to apply the principal correctly due to his not understanding the reality properly.<sup>259</sup>

Finally with regards to the brother’s accusation that that the justification of Martyrdom Operations via the Hadīth of the People of the Ditch is one of the weakest extrapolations and is made only by those who have no scholarly credentials and are only repeated via the internet by those who support Martyrdom Operations. Then we end this chapter by quoting a fatwā which was issued by the Former Grand Mufti of Saudi Arabia Shaykh Muhammad Ibn Ibrāhīm Āl Ash-Shaykh<sup>260</sup> (**Rahimahu 'Llah**) (not exactly a person who lacks scholarly credentials!!!)

Shaykh Muhammad Ibn Ibrāhīm Āl ash-Shaykh (**Rahimahu 'Llah**) said: "Some Algerians who belong to Islām came to us<sup>261</sup> asking: 'Is it permissible for us to kill ourselves out of fear that we would be injected with truth serum (that will be used to force us to reveal the secrets of the Mujāhidin)? Do I die as a martyr [since they are tortured in various ways]?'"

So we<sup>262</sup> said to them: "If the situation is as you describe, then it is permissible. And from the evidences supporting this, is: 'We believe in the Lord of the boy... "(the story of the People of the Ditch),<sup>263</sup> and the saying of some of the scholars that the boat is...; up until the point of the person's killing of himself, and the harm in (revealing the secrets of the Muslims) is greater than the harm in his killing himself, so this principle (of the lesser of the two evils) is clear-cut (*Muhkamah*), and there is no other option for him but to be killed."<sup>264</sup> [End Quote Shaykh Muhammad Ibn Ibrāhīm Āl ash-Shaykh (**Rahimahu 'Llah**)]

<sup>259</sup> Please see Footnotes #58-60 for a refutation of the Shaykh’s points.

<sup>260</sup> Notice how the Shaykh’s name appears on their recommended scholars list which can be found at the following link: <http://athariyyah.webs.com/scholars.htm>

<sup>261</sup> It seems apparent from the Shaykh’s words that it was not only him who was approached for this fatwā, but also a group of senior scholars.

<sup>262</sup> Again it seems apparent from the Shaykh’s words this fatwā was not just issued by him, but also a group of senior scholars.

<sup>263</sup> Notice how the Shaykh (**Rahimahu 'Llah**) uses the story of the People of the Ditch as evidence to permit a person killing themselves if they are being forced to reveal sensitive information which could lead to the death of other Muslims. We are wondering what the brother makes of this fatwā given that it is much more severe than those which allow Martyrdom Operations??? This is a complete refutation of the claim that: “In short, the justification of suicide bombing through the *Hadīth* of the People of the Ditch is from the weakest of extrapolations, is made by those with no solid grounding in the scholastic sciences of Islām, and is regurgitated only in the cyber literature of suicide bombing apologists.”.

<sup>264</sup> Refer to the *Fatawa* of Shaykh Muhammad Ibn Ibrāhīm (6/207-208, # 1479), *Kitāb al-Jihād*; First Edition, 1399 H.

Note: Also ponder upon the words of the Shaykh (**Rahimahu 'Llah**) “there is no other option for him but to be killed.” Meaning if the situation is as the questioner says it is then not only would it be permissible for such a person to kill themselves, but in the words of the Shaykh (**Rahimahu 'Llah**) “there would be no other option”, meaning that it

## REFUTATION OF THE CONCLUSION

The brother writes the following as his “*Conclusion*”<sup>265</sup>:

“There are many other things we could say regards suicide bombing, such as how many of those who sign up to blow themselves up are often complete basket cases who are exploited by their more cunning (if not cowardly) commanders; with many so-called human bombs often displaying advanced signs of psychosis and schizophrenia, erratic or abnormal behaviour, and even flagrant violations of the sharia in the build-up to their self-sacrifice. But that's another story. Suffice to say: whether or not one sincerely believes suicide bombing is justified in **Islām**, the evidences presented in the essay, *The Islāmic Ruling on the Permissibility of Martyrdom Operations*, certainly do not prove it.” [End Quote Ben Ādam]

So the brother concludes his error-filled book by making slanderous accusations that those Muslims who partake in Martyrdom Operations are actually completely insane and have been exploited to partake in such operations by cunning and cowardly commanders. He also states that they often suffer from psychosis, schizophrenia, abnormal behaviour and even flagrantly violate the Shari’ah before undertaking such operations.

The first question I’d like to ask the brother is: Where is his proof for all these allegations??? And if he hasn’t got any proof for them (which he hasn’t as I’m now going to prove) then not only is this another lie amongst the many lies that he has mentioned in his book, but this is indeed an enormous slander against those Muslims who have unselfishly sacrificed their own lives in order to benefit Islām and Muslims or to repel a similar harm from Islām and Muslims.

The sad irony of all of this is even the most passionate enemies of Islām haven’t made such despicable claims yet this brother has!!! The proof of this can be seen from the following excerpt taken from pages 19-21 of the book titled “*SUICIDE TERRORISM – A TACTICAL WEAPON WITH STRATEGIC EFFECTS*”<sup>266</sup>:

### Individual Motivations for Conducting a Suicide Attack

**“From a Western perspective, it is easy to view a suicide attacker as irrational, psychotic, or a religious fanatic. Focused studies and research suggest this is**

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would even be Wājib (Obligatory) to do so. Another thing that needs to be considered is that from the apparent wording this Fatwā seems to have been issued by not only Shaykh Muhammad Ibn Ibrāhīm Āl ash-Shaykh (Rahimahu 'Llah), but also by other senior scholars too and Allāh Knows Best.

<sup>265</sup> This is found on page 22 of the book

<sup>266</sup> This book is written by Major Hewett Wells who is part of the United States Air force. The book can be downloaded from the following link:

<https://www.afresearch.org/skins/RIMS/display.aspx?moduleid=be0e99f3-fc56-4ccb-8dfe-670c0822a153&mode=user&action=downloadpaper&objectid=a5d453e9-aa47-4bc5-8905-17761e893022&rs=PublishedSearch>

**misguided.**<sup>267</sup> Dr Randy Borum, Associate Professor in the Department of Mental Health and Law Policy for the University of South Florida, led a project to analyze and synthesize reports in scientific and social science literature pertaining to the psychological and/or behavioural dimensions of terrorist behaviour. **Borum, in *Psychology of Terrorism*, concludes that violent terrorism is not a product of mental disorder or psychopathy and terrorists are not dysfunctional or pathological. Psychopathology has proven to be only a modest risk factor for general violence, and all but irrelevant to understanding terrorism.**<sup>268</sup> Borum drew his conclusions from across the field of study. For example, **Crenshaw concluded in 1992 “the idea of terrorism as a product of mental disorder or psychopathy has been discredited.”**<sup>269</sup> More recently, McCauley (2002) and Sageman (2004) agreed that serious psychopathology or mental illnesses among terrorists are relatively rare, and not a major factor in understanding or predicting terrorist behaviour. Borum stresses the difference between the clinical phenomenon of suicide and the motivation and dynamics for choosing to engage in a suicide terrorist attack. **This position is supported by Israeli psychology professor Ariel Merari, “In the majority, you find none of the risk factors normally associated with suicide, such as mood disorders or schizophrenia, substance Abuse or history of attempted suicide.”**<sup>270</sup> Similarly, Silke concluded in 2003, **“There is no indication that suicide bombers suffer from psychological disorders or are mentally unbalanced...their personalities are usually quite stable.”**<sup>271</sup> For example, testimonies collected from Israelis who survived a suicide attack and witnessed the last moments of the suicide bomber before the explosion, reported the bombers to be calm, quiet, even smiling.<sup>272</sup>

However, terrorists often have common life experiences that serve as individual motivational factors. For example, childhood Abuse, trauma, perceived injustice, and humiliation are often

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<sup>267</sup> So it's from a Western and not an Islāmic perspective to view a Muslim performing Martyrdom Operations as being Mentally Insane, Psychotic etc and even then focused studies and research have proven this to be a misguided view!!! So the obvious question is: Where did the brother get these allegations from??? The simple answer is that he has just made them up and has therefore slandered Muslims who have unselfishly sacrificed their lives for sake of Allāh and His religion.

<sup>268</sup> Again another confirmation from the professional enemies of Islām that Insanity, Psychosis, Schizophrenia etc are all totally unrelated in Muslims performing Martyrdom Operations, yet the brother wants to suggest otherwise!!!

<sup>269</sup> One wonders why the brother is making allegations which has been completely discredited (even by the enemies of Islām) over eighteen years ago???

<sup>270</sup> How ironic it is that even a Zionist Israeli Jew disproves the notion that Muslims who perform Martyrdom Operations are somehow mentally insane, psychotic and suffer from schizophrenia, yet the brother wants us to believe otherwise. Seems like this Zionist Israeli Jew has spoken the truth whilst the brother has lied!!!

<sup>271</sup> Again another absolute negation of the idea that Muslims performing Martyrdom Operations suffer from psychosis or are mentally unstable etc, as well as a confirmation that they are in fact perfectly stable.

<sup>272</sup> So look how even the Zionist Israeli Jews testify that the Muslims prior to performing Martyrdom Operations are completely tranquil, calm and happy, yet the brother wants us to believe they are completely insane, exploited, suffer from psychosis, schizophrenia, abnormal behaviour and even flagrantly violate the Shari'ah before undertaking such operations.



prominent. Furthermore, injustice, identity, and belonging often co-occur in terrorists and may strongly influence decisions to enter terrorist organizations and to engage in terrorist activities. Moreover, when communities endow suicide bombings with a positive image, people who are highly committed to a cause or faced with a crisis are more likely to volunteer for a suicide mission.

Pedahzur classified suicide bombers into two main groups; 1) members of an organization or social network, and 2) volunteers/recruits specifically targeted for a suicide mission. The precipitating motivational factors compelling an individual to conduct a suicide attack are different between these two groups; however, they are not mutually exclusive. Individuals tightly bound to an organization or social network are committed to a cause, an ideology, their comrades, a leader, or some combination of these factors. The organization reinforces the attacker's commitment and becomes a driving motivational factor. This emphasizes the role of social networks and pre-existing social bonds between people committed to a common cause in generating radicalism and terrorism leading to suicide attacks. Alternatively, a volunteer's motivation stems from a real or perceived crisis. The crisis may be at the personal level ranging from a financial trouble and emotional turmoil to revenge for the loss of a loved one or painful acts inflicted by an oppressor. On the other hand, the crisis may be at a community level, driven by a sense of hopelessness or frustration with a static or deteriorating situation.

Bloom similarly views suicide bombers in two distinct categories. Some suicide bombers possess a strong commitment to the welfare of the organization or community and are a product of a terrorist organization in a self-perpetuating subculture of martyrdom. Other suicide bombers are educated outsiders, driven by a sense of humiliation or injustice, who are personally motivated to volunteer. The Black Widows in Chechnya are a prime example of suicide bombers who seek personal revenge for the loss of a loved one. Others seek honour and view martyrdom as an opportunity to be remembered or to reward remaining family members with increased social status. Others seek religious purity.

While individual motivations may vary, military professionals must recognize that "like other soldiers, suicide bombers are following orders, participating in a warfare campaign intended to overwhelm an enemy and rack up military victories...therefore, it is perhaps more important to focus on those who instruct the terrorists to die rather than on the actual suicide bombers themselves." Even more troubling for the GWOT, Atran states that, "In times of crisis, every society routinely calls on some of its own people to sacrifice their lives for the general good of the body politic. For militant Jihādists, crisis is constant and unabating, and extreme sacrifice is necessary as long as there are nonbelievers (*kuffār*) in the world." [End Quote Major Hewett Wells]

Also with regards to comment of the brother "**Suffice to say: whether or not one sincerely believes suicide bombing is justified in Islām, the evidences presented in the essay, *The Islāmic Ruling on the Permissibility of Martyrdom Operations*, certainly do not prove it.**" There is yet again another implicit acknowledgement that the issue of Martyrdom Operations is not clear-cut among the scholars of Islām and that it is an issue which the scholars have differed upon and have made Ijtihād on, where those who are correct will receive two rewards and those who have erred will receive one reward and where neither side should be blamed for holding their respective opinions. So I again ask the question why has the brother written such a document when he knows that this is the case??? It seems like the only person



who is completely insane, exploited, suffers from psychosis, schizophrenia and abnormal behaviour is this brother because during the course of his book he has implicitly admitted on no less than three separate occasions that the issue of Martyrdom Operations is one in which the scholars of Islām have differed upon, yet he feels it imperative to write a book condemning them via many false and slanderous statements. Surely this says a lot about the brother and his abnormal mentality!!! With regards to the issue of Martyrdom Operations then as I've highlighted throughout this document there is enough evidence from the Quran, Sunnah and the opinions of the scholars to justify their permissibility and only the most stubborn of people would actually try denying this.

## CONCLUSION

Finally, I conclude by saying that after reading this refutation it should have become clear how many statements of falsehood the brother has made and also how many slanderous comments he made about Muslims who have generously sacrificed their lives for the sake of Allāh (**Subhanahu wa ta'ala**) and His religion. I therefore kindly ask the brother to recognise all of this and because he has done all of this openly and publicly he should likewise make an open and public retraction for his statements of falsehood as well as apologising for the slanderous statements he has made about the Muslims who in all honesty are far greater than him in terms of their commitment to Allāh (**Subhanahu wa ta'ala**) and His religion. He should also sincerely turn to Allāh in repentance and He is the One who accepts repentance from His slave and forgives sins.

And peace and blessings be upon the Messenger of Allāh and also upon his family and Companions and those who follow him in goodness until the Day of Judgement.

And our final words are praise be to Allāh, Lord of the Worlds.

**Completed on the 6<sup>th</sup> day of Dhul Hijjah, 1431H.**